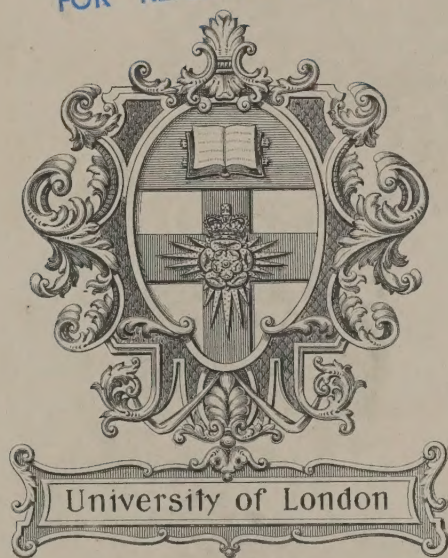


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B I L L S,

PUBLIC:

SIX VOLUMES.

—(6.)—

RAGLAN, LADY, AND LORD RAGLAN'S ANNUITIES

TO

YOUTHFUL OFFENDERS.

Session

12 December 1854 — 14 August 1855.

V O L. VI.

1854-5.

BILLS:

1854-5.

SIX VOLUMES:—CONTENTS OF THE SIXTH VOLUME.

N.B.—*THE* Figures at the beginning of the line, correspond with the N° at the foot of each Bill; and the Figures at the end of the line, refer to the MS. Paging of the Volumes arranged for The House of Commons.

Raglan, Lady, and Lord Raglan's Annuities :

- ✓ 228. Bill to settle Annuities on *Emily Harriet Lady Raglan* and *Richard Henry Fitzroy Lord Raglan* and the next surviving Heir Male of his Body, in consideration of the eminent Services of the late Field Marshal Lord *Raglan* - - - p. 1

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- ✓ 167. Same [as amended in Committee] - - - - - 11

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- ✓ 175. Bill to amend the Law in *England* and *Wales* with reference to the Assessment of Mines (other than Coal Mines) to the Relief of the Poor - - - - 27

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- ✓ 109. Same [as amended in Committee] - - - - - 35

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- ✓ 106. Bill for securing the Liberty of Religious Worship - - - - - 39
- ✓ 272. Same [as amended by the Lords] - - - - - 43

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- ✓ 295. Same [as amended by the Lords] - - - - - 59

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- ✓ 11. Bill to make further Provision for the Investment and Security of the Monies received by the Commissioners for the Reduction of the National Debt from Savings Banks and Friendly Societies - - - - - 63

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- ✓ 119. Same [as amended in Committee] - - - - - 105

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- ✓ 155. Bill to repeal the Stamp Duties payable on Matriculation and Degrees in the University of *Oxford* - - - - - 165

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- ✓ 245. Same [as amended in Committee] - - - - - 275

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- ✓ 243. Bill to abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of Trinity College, *Dublin*, and of certain Professors in the said College ; and to repeal the Stamp Duties payable on Matriculations and Degrees in the said College - - - - - 279

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- ✓ 268. Bill to enable Her Majesty to carry into effect a Convention made between Her Majesty, his Majesty the Emperor of the *French*, and his Imperial Majesty the Sultan - - - - - 287

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- ✓ 227. Bill to continue certain Turnpike Acts in *Great Britain*, and to make further Provisions concerning Turnpike Roads in *England* - - - p. 291

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of *Great Britain and Ireland*.

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18° & 19° VICT.

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Royal Assent.

- I. AN ACT to enable Her Majesty to accept the Services of the Militia out of the United Kingdom, for the vigorous Prosecution of the War - - (23 December 1854.)
- II. AN ACT to permit Foreigners to be enlisted and to serve as Officers and Soldiers in Her Majesty's Forces - - - - - (23 December.)
- III. AN ACT to carry into effect a Treaty between Her Majesty and the United States of America - - - - - (19 February 1855.)
- IV. AN ACT to amend the Act for limiting the Time of Service in }
the Army - - - - - } (27 February.)
- V. AN ACT to apply the Sum of Three Millions three hundred thousand Pounds out of the Consolidated Fund to the Service of the Year ending the Thirty-first day of March One thousand eight hundred and Fifty-five - - - - - (5 March.)
- VI. AN ACT to apply the Sum of Twenty Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and Fifty-five - - - (5 March.)
- VII. AN ACT to extend to *Ireland* the Provisions of the Eighteenth Section of the Common Law Procedure Act, 1854 - - - - - (16 March.)
- VIII. AN ACT for raising the Sum of Seventeen Millions one hundred and eighty-three thousand Pounds by Exchequer Bills, for the Service of the Year One thousand eight hundred and Fifty-five - - - - - (16 March.)
- IX. AN ACT to suspend the Decline of the Customs Duties on Tea from and after the Fifth Day of April One thousand eight hundred and Fifty-five - - - (16 March.)
- X. AN ACT to enable a Third Principal Secretary and a Third Under Secretary of State to sit in the House of Commons - - - - - (16 March.)
- XI. AN ACT for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters - - - - - (16 March.)
- XII. AN ACT for the Regulation of Her Majesty's Royal Marine Forces while on Shore - - - - - (16 March.)
- XIII. AN ACT to explain and amend the Lunacy Regulation Act, 1853 (26 April.)
- XIV. AN ACT to authorize the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for *England and Wales* - - - - - (26 April.)
- XV. AN ACT for the better Protection of Purchasers against Judgments, Crown Debts, Cases of Lis pendens, and Life Annuities or Rent-charges - - - - - (26 April.)
- XVI. AN ACT to authorize the Letting Parts of the Royal Forests of *Dean and Woolmer*, and certain other Parts of the Hereditary Possessions of the Crown - - - (26 April.)
- XVII. AN ACT to carry into effect a Convention between Her Majesty and the King of *Sardinia* - - - - - (26 April.)
- XVIII. AN ACT for raising the Sum of Sixteen Millions by way of }
Annuities - - - - - } (5 May.)

CAP.

Royal Assent.

XIX. AN ACT to remove Doubts as to the Commissions of Officers of Militia in *Ireland* who have omitted to deliver unto the Clerk of the Peace Descriptions of their Qualifications, and to indemnify them against the Consequences of such Omission, and to amend the Law relating to the Militia in *Ireland* - - - - - (25 May.)

XX. AN ACT for granting to Her Majesty an increased Rate of Duty on Profits arising from Property, Professions, Trades, and Offices - - - - - (25 May.)

XXI. AN ACT for granting certain Duties of Customs on Tea, Coffee, Sugar, and other Articles - - - - - (25 May.)

XXII. AN ACT for granting certain additional Rates and Duties of Excise (25 May.)

XXIII. AN ACT to alter in certain respects the Law of Intestate Moveable Succession in *Scotland* - - - - - (25 May.)

XXIV. AN ACT to amend an Act of the Second and Third Years of King *William* the Fourth, for amending the Representation of the People in *Scotland*, in so far as relates to the Procedure in County Elections in that Country - - - - - (25 May.)

XXV. AN ACT to allow Affirmations or Declarations to be made instead of Oaths in certain Cases in *Scotland* - - - - - (25 May.)

XXVI. AN ACT to continue an Act of the Thirteenth and Fourteenth Years of Her present Majesty, for enabling the Judges of the Courts of Common Law at *Westminster* to alter the Forms of Pleading - - - - - (25 May.)

XXVII. AN ACT to amend the Laws relating to the Stamp Duties on Newspapers, and to provide for the Transmission by Post of Printed Periodical Publications (15 June.)

XXVIII. AN ACT to provide that the Property or Income Tax payable in respect of the Income from Ecclesiastical Property in *Ireland* shall be a Deduction in estimating the Value of such Property for the Purpose of Taxation by the Ecclesiastical Commissioners - - - - - (15 June.)

XXIX. AN ACT to make further Provision for the Registration of Births, Deaths, and Marriages in *Scotland* - - - - - (15 June.)

XXX. AN ACT to empower the Commissioners of Sewers to expend on House Drainage a certain Sum out of the Monies borrowed by them on Security of the Rates, and also to give to the said Commissioners certain other Powers for the same } (15 June.)
Purpose - - - - -

XXXI. AN ACT to confirm the Incorporation of the Borough of } (15 June.)
Brighton - - - - -

XXXII. AN ACT to amend and extend the Jurisdiction of the } (15 June.)
Stannary Court - - - - -

XXXIII. AN ACT to prevent Doubts as to the Validity of certain Proceedings in the House of Commons - - - - - (15 June.)

XXXIV. AN ACT to provide for the Education of Children in the Receipt of Out-door Relief - - - - - (26 June.)

XXXV. AN ACT to continue the Act for extending for a limited Time the Provision for Abatement of Income Tax in respect of Insurance on Lives - - - (26 June.)

XXXVI. AN ACT to repeal the Stamp Duties payable on Matriculation and Degrees in the University of *Oxford* - - - - - (26 June.)

XXXVII. AN ACT to apply the Sum of Ten Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and Fifty-five - - - (26 June.)

XXXVIII. AN ACT to allow Spirit of Wine to be used Duty-free in the Arts and Manufactures of the United Kingdom - - - - - (26 June.)

XXXIX. AN ACT to facilitate Grants of Lands and Tenements for the purpose of Religious Worship and other Purposes connected therewith - - - (26 June.)

XL. AN ACT for further promoting the Establishment of free Public Libraries and Museums in *Ireland* - - - - - (26 June.)

XLI. AN ACT for abolishing the Jurisdiction of the Ecclesiastical Courts of *England* and *Wales* in Suits for Defamation - - - - - (26 June.)

XLII. AN ACT to enable *British* Diplomatic and Consular Agents Abroad to administer Oaths and do Notarial Acts - - - - - (2 July.)

XLIII. AN ACT to enable Infants, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate on Marriage - - - (2 July.)

CAP.

Royal Assent,

XLIV. AN ACT to amend an Act of last Session, to provide for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum, in *Dublin* - - - (2 July.)

XLV. AN ACT for further assimilating the Practice in the County Palatine of *Lancaster* to that of other Counties with respect to the Trial of Issues from the Superior Courts at *Westminster* - - - (16 July.)

XLVI. AN ACT for disafforesting the Forest of *Woolmer* - - - (16 July.)

XLVII. AN ACT to continue an Act of the Eighteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in *England* and *Wales* upon the Common Fund - - - (16 July.)

XLVIII. AN ACT for the better Administration of Justice in the }
Cinque Ports - - - - - } (16 July.)

XLIX. AN ACT to indemnify such Persons in the United Kingdom as have omitted to qualify themselves for Offices and Employments, and to extend the Time limited for those Purposes respectively - - - (16 July.)

L. AN ACT to amend the Provisions of the Court of Exchequer }
(*Ireland*) Act, 1850 - - - - - } (16 July.)

LI. AN ACT to continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor - (16 July.)

LII. AN ACT to continue Appointments under the Act for consolidating the Copyhold and Inclosure Commissions, and for completing Proceedings under the Tithe Commutation Acts - - - - - (16 July.)

LIII. AN ACT to relieve the *East India* Company from the Obligation to maintain the College at *Haileybury* - - - - - (16 July.)

LIV. AN ACT to enable Her Majesty to assent to a Bill, as amended, of the Legislature of *New South Wales*, "to confer a Constitution on *New South Wales*, and to grant a Civil "List to Her Majesty" - - - - - (16 July.)

LV. AN ACT to enable Her Majesty to assent to a Bill, as amended, of the Legislature of *Victoria*, to establish a Constitution in and for the Colony of *Victoria* - (16 July.)

LVI. AN ACT to repeal the Acts of Parliament now in force respecting the Disposal of the Waste Lands of the Crown in Her Majesty's *Australian* Colonies, and to make other Provision in lieu thereof - - - - - (16 July.)

LVII. AN ACT further to amend the Laws relating to the Militia in }
England - - - - - } (16 July.)

LVIII. AN ACT to better enable the Chancellor and Council of the Duchy of *Lancaster* to sell and purchase Land on behalf of Her Majesty, Her Heirs and Successors, in right of the said Duchy of *Lancaster* - - - - - (16 July.)

LIX. AN ACT to facilitate Inquiries of Commissioners of Endowed }
Schools in *Ireland* - - - - - } (23 July.)

LX. AN ACT for excepting Gold Wedding Rings from the Operation of the Act of the last Session relating to the Standard of Gold and Silver Wares, and from the Exemptions contained in other Acts relating to Gold Wares - - - - - (23 July.)

LXI. AN ACT to authorize the Inclosure of certain Lands in pursuance of a Special Report of the Inclosure Commissioners for *England* and *Wales* - - - (23 July.)

LXII. AN ACT to amend an Act of the Eighteenth Year of Her Majesty, to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons, and for the Suppression of illicit Distillation in *Ireland* - - - - - (23 July.)

LXIII. AN ACT to consolidate and amend the Law relating to Friendly }
Societies - - - - - } (23 July.)

LXIV. AN ACT to settle Annuities on *Emily Harriet* Lady *Raglan* and *Richard Henry Fitzroy* Lord *Raglan*, and the next surviving Heir Male of his Body, in consideration of the eminent Services of the late Field Marshal Lord *Raglan* - - - (23 July.)

LXV. AN ACT to amend the *Dublin* Carriage Acts - - - - - (23 July.)

LXVI. AN ACT to render valid certain Marriages in *Christ Church*, in the Chapelry of *Todmorden*, and Parish of *Rochdale*, in the Counties of *Lancaster* and }
York - - - - - } (23 July.)

LXVII. AN ACT to facilitate the Remedies on Bills of Exchange and Promissory Notes by the prevention of frivolous or fictitious Defences to Actions thereon - (23 July.)

CAP.

Royal Assent.

LXVIII. AN ACT to amend the Laws concerning the Burial of the } (23 July.)
Dead in *Scotland* - - - - - }

LXIX. AN ACT to discontinue the taking of Toll on the Turnpike Roads leading from the City of *Dublin*, and on the Turnpike Road from *Kinnegad* to *Athlone*, and to provide for the Maintenance of such Roads as public Roads, and for the Discharge of the Debts due thereon, and other Purposes - - - - - (16 July.)

LXX. AN ACT for further promoting the Establishment of Free Public Libraries in Municipal Towns, and for extending it to Towns governed under Local Improvement Acts, and to Parishes - - - - - (30 July.)

LXXI. AN ACT to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to the Islands of *Antigua*, *Nevis*, and *Montserrat* - - - - - (30 July.)

LXXII. AN ACT for legalizing and preserving the restored Standards of Weights and Measures - - - - - (30 July.)

LXXIII. AN ACT to extend the Period for applying for a Sale under the Acts for facilitating the Sale and Transfer of Incumbered Estates in *Ireland* - - - (30 July.)

LXXIV. AN ACT to enable Grand Juries of Counties in *Ireland* to present for Payment of Expenses in certain Cases - - - - - (30 July.)

LXXV. AN ACT to continue certain temporary Provisions concerning Ecclesiastical Jurisdiction in *England* - - - - - (30 July.)

LXXVI. AN ACT to continue an Act of the Fifth and Sixth Years of Her present Majesty for amending the Law relative to Private Lunatic Asylums in } (30 July.)
Ireland - - - - - }

LXXVII. AN ACT to give Effect to a Convention between Her Majesty and the United States of *America* - - - - - (30 July.)

LXXVIII. AN ACT to reduce certain Duties payable on Stage Carriages, and to amend the Laws relating to Stamp Duties, and to Bonds and Securities to the } (30 July.)
Inland Revenue - - - - - }

LXXIX. AN ACT to amend the Law regarding the Burial of poor Persons by Guardians and Overseers of the Poor - - - - - (30 July.)

LXXX. AN ACT to ratify conditional Agreements entered into by the Commissioners of Her Majesty's Works and Public Buildings; and to vest in the said Commissioners certain Property situate near the College of *Edinburgh*, in the City of *Edinburgh*, together with the General Register House in the said City, and all Lands held therewith; and to enable the said Commissioners to acquire certain Property near the Palace of *Holyrood* - - - - - (30 July.)

LXXXI. AN ACT to amend the Law concerning the certifying and registering of Places of Religious Worship in *England* - - - - - (30 July.)

LXXXII. AN ACT to abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of *Trinity College, Dublin*, and of certain Professors in the said College; and to repeal the Stamp Duties payable on Matriculations and Degrees in the University of *Dublin* - - - - - (14 August.)

LXXXIII. AN ACT to continue certain Acts for regulating Turnpike } (14 August.)
Roads in *Ireland* - - - - - }

LXXXIV. AN ACT to provide for the Performance of certain Duties of the Speaker during his temporary Absence from the House of Commons - - - - - (14 August.)

LXXXV. AN ACT for carrying into effect the Engagements between Her Majesty and certain Chiefs of the *Sherbro* Country, near *Sierra Leone*, in *Africa*, for the more effectual Suppression of the Slave Trade - - - - - (14 August.)

LXXXVI. AN ACT for securing the Liberty of Religious Worship - - - - - (14 August.)

LXXXVII. AN ACT to amend the Act for the better Care and Reformation of Youthful Offenders, and the Act to render Reformatory and Industrial Schools in *Scotland* more available for the Benefit of Vagrant Children - - - - - (14 August.)

LXXXVIII. AN ACT to facilitate the Erection of Dwelling Houses for the Working Classes in *Scotland* - - - - - (14 August.)

LXXXIX. AN ACT to amend the Provisions of the *Huddersfield* Burial Ground Act, 1852 - - - - - (14 August.)

XC. AN ACT for the Payment of Costs in Proceedings instituted on behalf of the Crown in Matters relating to the Revenue, and for the Amendment of the Procedure and Practice in Crown Suits in the Court of Exchequer - - - - - (14 August.)

CAP.

Royal Assent.

XCI. AN ACT to facilitate the Erection and Maintenance of Colonial Lighthouses, and otherwise to amend the Merchant Shipping Act, 1854 - - - (14 August.)

XCII. AN ACT for appropriating the Corps of the Prebend or Portion of *Netherhall Ledbury* in the Diocese and County of *Hereford*, and for constituting the Living of *Ledbury* a Rectory with Cure of Souls, and for augmenting the Endow- } (14 August.)
ments thereof - - - - - }

XCIII. AN ACT to amend certain Acts relating to the Court of Judicature of *Prince of Wales Island, Singapore, and Malacca*, and to the Supreme Courts of Judicature in *India* - - - - - (14 August.)

XCIV. AN ACT to impose increased Rates of Duty of Excise on Spirits distilled in the United Kingdom; to allow Malt, Sugar, and Molasses to be used Duty-free in the distilling of Spirits in lieu of Allowances and Drawbacks on such Spirits, Sugar, and Molasses respectively; and to amend the Laws relating to the Duties of } (14 August.)
Excise - - - - - }

XCV. AN ACT to enable the Commissioners of Her Majesty's Works and Public Buildings to provide additional Offices for the Public Service in or near *Downing-street, Westminster* - - - - - (14 August.)

XCVI. AN ACT to consolidate certain Acts, and otherwise amend the Laws of the Customs, and an Act to regulate the Office of the Receipt of Her Majesty's Exchequer at *Westminster* - - - - - (14 August.)

XCVII. AN ACT for the Amendment and Consolidation of the Customs Tariff Acts - - - - - (14 August.)

XCVIII. AN ACT to continue certain Turnpike Acts in *Great Britain* (14 August.)

XCIX. AN ACT to enable Her Majesty to carry into effect a Convention made between Her Majesty, His Majesty the Emperor of the *French*, and His Imperial Majesty the Sultan - - - - - (14 August.)

C. AN ACT to amend the Law concerning the Qualification of Officers } (14 August.)
of the Militia - - - - - }

CI. AN ACT for the more effectual Execution of the Convention between Her Majesty and the *French* Government concerning the Fisheries in the Seas between the *British* Islands and *France* - - - - - (14 August.)

CII. AN ACT to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of } (14 August.)
Turnpike Trusts - - - - - }

CIII. AN ACT to amend an Act of the last Session of Parliament relating to the Sale of Spirits by unlicensed Persons and illicit Distillation in *Ireland*; and also to repeal so much of an Act of the Third and Fourth Years of His late Majesty as requires Persons applying for Licences for the Sale of Beer, Cider, or Spirits by Retail in *Ireland* to enter into a Bond with Sureties - - - - - (14 August.)

CIV. AN ACT for the Regulation of *Chinese* Passenger Ships - - - (14 August.)

CV. AN ACT to amend the Lunatic Asylums Act, 1853, and the Acts passed in the Ninth and Seventeenth Years of Her Majesty, for the Regulation of the Care and Treatment of Lunatics - - - - - (14 August.)

CVI. AN ACT to suspend the making of Lists and the Ballots for the Militia of the United Kingdom - - - - - (14 August.)

CVII. AN ACT to authorize the Commissioners of the Treasury to make Arrangements concerning a certain Loan advanced by way of Relief to the Island of *Tobago* (14 August.)

CVIII. AN ACT to amend the Law for the Inspection of Coal Mines in } (14 August.)
Great Britain - - - - - }

CIX. AN ACT to make further Provisions for the Repayment of Advances out of the Consolidated Fund for the Erection and Enlargement of Asylums for the Lunatic Poor in *Ireland*, and to amend the Laws with reference to the Repayments in case of Change of Districts, and the Appointment of Commissioners of General Control and } (14 August.)
Correspondence - - - - - }

CX. AN ACT to authorize the Application of certain Sums granted by Parliament for Drainage and other Works of public Utility in *Ireland* towards the Completion of certain Navigations undertaken in connexion with Drainages, and to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith in *Ireland* (14 August.)

CXI. AN ACT to amend the Law relating to Bills of Lading - - - (14 August.)

CAP.

Royal Assent.

CXII. AN ACT to continue an Act of the Eleventh Year of Her present Majesty, for the better Prevention of Crime and Outrage in certain Parts of *Ireland* - (14 August.)

CXIII. AN ACT to extend the Provisions of an Act of the Fourteenth and Fifteenth Years of Her present Majesty, for rebuilding the Bridge over the *River Ness at Inverness* - - - - - } (14 August.)

CXIV. AN ACT for the Transfer of Licences of Public Houses in } (14 August.)
Ireland - - - - - }

CXV. AN ACT to continue and amend the Public Health Act (1854) - (14 August.)

CXVI. AN ACT for the better Prevention of Diseases - - - (14 August.)

CXVII. AN ACT for transferring to One of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance - (14 August.)

CXVIII. AN ACT to repeal the Act of the Seventeenth and Eighteenth Years of the Reign of Her present Majesty for further regulating the Sale of Beer and other Liquors on the Lord's Day, and to substitute other Provisions in lieu thereof - - (14 August.)

CXIX. AN ACT to amend the Law relating to the Carriage of Passengers } (14 August.)
by Sea - - - - - }

CXX. AN ACT for the better Local Management of the Metropolis - (14 August.)

CXXI. AN ACT to consolidate and amend the Nuisances Removal and Diseases Prevention Acts, 1848 and 1849 - - - - - (14 August.)

CXXII. AN ACT to amend the Laws relating to the Construction of Buildings in the Metropolis and its Neighbourhood - - - - - (14 August.)

CXXIII. AN ACT to defray the Charge of the Pay, Clothing, and contingent and other Expenses of the Disembodied Militia in *Great Britain and Ireland*; to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, Surgeons Mates, and Serjeant Majors of the Militia; and to authorize the Employment of the Non-commissioned Officers - - - - (14 August.)

CXXIV. AN ACT to amend the Charitable Trusts Act, 1853 - - (14 August.)

CXXV. AN ACT to confirm Provisional Orders of the General Board of Health, applying the Public Health Act (1848) to the Districts of *Middlesbrough, Windhill, Christchurch, Keighley, Tunstall, and Toxteth Park*, and for Alteration of the Boundaries of the District of *Romford* - - - - - (14 August.)

CXXVI. AN ACT for diminishing Expense and Delay in the Administration of Criminal Justice in certain Cases - - - - - (14 August.)

CXXVII. AN ACT to make better Provision for the Union of contiguous Benefices, and to facilitate the Building and Endowing of new Churches in spiritually destitute Districts - - - - - (14 August.)

CXXVIII. AN ACT further to amend the Laws concerning the Burial of the Dead in *England* - - - - - (14 August.)

CXXIX. AN ACT to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and Fifty-five, and to appropriate the Supplies granted in this Session of Parliament - (14 August.)

CXXX. AN ACT for raising the Sum of Seven Millions by Exchequer Bills and Exchequer Bonds, for the Service of the Year One thousand eight hundred and Fifty-five - - - - - (14 August.)

CXXXI. AN ACT to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education - - (14 August.)

CXXXII. AN ACT for facilitating the Erection of Dwelling Houses for the Labouring Classes - - - - - (14 August.)

CXXXIII. AN ACT for limiting the Liability of Members of certain Joint Stock Companies - - - - - (14 August.)

CXXXIV. AN ACT to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery, and to vest in the Lord Chancellor the Ground and Buildings of the said Court situate in *Southampton Buildings, Chancery Lane*, with Powers of leasing and Sale thereof - - - - - (14 August.)

I N D E X

TO THE

PUBLIC GENERAL ACTS, 18° & 19° VICT., SESS. 1854-55:

SHOWING

Whether they relate to the WHOLE or to any PART of the UNITED KINGDOM;

VIZ.

(E.) signifies that the Act relates to	} ENGLAND (and WALES, if the subject extends so far).
(W.) - - -	WALES exclusively.
(S.) - - -	SCOTLAND.
(I.) - - -	IRELAND.
(E. & I.) - -	ENGLAND AND IRELAND.
(G. B.) - -	GREAT BRITAIN.
(G. B. & I.) -	GREAT BRITAIN AND IRELAND.
(U. K.) - -	THE WHOLE OF THE UNITED KINGDOM.

A.	Cap.
ACTIONS, to facilitate the Remedies on Bills of Exchange and Promisory Notes by the Prevention of frivolous or fictitious Defences to Actions thereon - - - - - }	(E.) 67.
Administration of Oaths Abroad, to enable British Diplomatic and Consular Agents Abroad to administer Oaths and do Notarial Acts }	(U. K.) 42.
Affirmations, to allow Affirmations to be made instead of Oaths in cer- tain Cases - - - - - }	(S.) 25.
Alterations in Pleadings, to continue 13 & 14 Vict. c. 16, for enabling the Judges of the Courts of Common Law at Westminster to alter the Forms of Pleading - - - - - }	(E.) 26.
America (United States), to carry into effect a Treaty between Her Majesty and - - - - - }	(U. K.) 3.
— to give Effect to a Convention between Her Majesty and -	(U. K.) 77.
Annuities, for raising the Sum of 16,000,000 <i>l.</i> by way of - - -	(U. K.) 18.
Antigua (Island of), to authorise the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to - - - - - }	(U. K.) 71.
Appropriation, to apply a Sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year 1855, and to appropriate the Supplies granted in this Session of Parliament }	(U. K.) 129.
Army, to amend 10 & 11 Vict. c. 37, for limiting the Time of Service in - - - - - }	(U. K.) 4.
— for punishing Mutiny and Desertion, and for the better Pay- ment of the Army and their Quarters - - - - - }	(U. K.) 11.
— to permit Foreigners to be enlisted to serve as Officers and Soldiers in - - - - - }	(U. K.) 2.
Arts and Manufactures of the United Kingdom, to allow Spirit of Wine Duty-free to be used in - - - - - }	(U. K.) 38.

	<i>Cap.</i>
Athlone, to discontinue the taking of Toll on the Road to, from Kin- negad, and to provide for the maintenance of such Road, and for the Discharge of Debts due thereon - - - - -	(I.) 69.
Australian Colonies, to repeal the Acts of Parliament now in force respecting the Disposal of the Waste Lands of the Crown in Her Majesty's Australian Colonies, and to make other Provisions in lieu thereof - - - - -	(U. K.) 56.

B.

Ballot. *See* Militia Ballots Suspension.

Beer, to repeal so much of 3 & 4 Will. 4, c. 68, as requires Persons applying for Licences for the Sale of, to enter into a Bond with Sureties - - - - -	(I.) 103.
—— to repeal 17 & 18 Vict. c. 79, for further regulating the Sale of Beer and other Liquors on the Lord's Day, and to substitute other Provisions in lieu thereof - - - - -	(E.) 118.
Benefices (Contiguous), to make better Provision for the Union of -	(E.) 127.
Bills of Exchange, to facilitate the Remedies on, by the Prevention of frivolous or fictitious Defences to Actions thereon - - - - -	(E.) 67.
Bills of Lading, to amend the Law relating to - - - - -	(U. K.) 111.
Births, to make further Provision for the Registration of - - -	(S.) 29.
Board of Health, to confirm Provisional Orders of the General Board of Health, applying the Public Health Act (1848) to the Districts of Middlesbrough, Windhill, Christchurch, Keighley, Tunstall, and Toxteth Park, and for Alteration of the Boundaries of the District of Romford - - - - -	(E.) 125.
Bonds and Securities to the Inland Revenue, to amend the Law relating to - - - - -	(G. B.) 78.
Brighton, to confirm the Incorporation of the Borough of - - -	(E.) 31.
Burial of the Dead, to amend the Laws concerning - - - - -	(S.) 68.
—— further to amend the Laws concerning - - - - -	(E.) 128.
Burial of Poor Persons by Guardians and Overseers of the Poor, to amend the Law regarding - - - - -	(E.) 79.

C.

Chancery (Court of), to make further Provision for the more speedy Despatch of Business in, and to vest in the Lord Chancellor the Ground and Buildings of the said Court, situate in Southampton Buildings, Chancery Lane, with Powers of Leasing and Sale thereof - - - - -	(E.) 134.
Charitable Trusts Act (1853), to amend - - - - -	(E.) 124.
Children receiving Outdoor Relief, to provide for the Education of -	(E.) 34.
Chinese Passenger Ships, for the Regulation of - - - - -	(U. K.) 104.
Christchurch (Monmouth), to confirm Provisional Order of the General Board of Health applying the Public Health Act (1848) to the District of - - - - -	(E.) 125.
Christ Church (Todmorden) Marriages Validity; to render valid certain Marriages in Christ Church in the Chapelry of Todmorden and Parish of Rochdale in the Counties of Lancaster and York - - -	(E.) 66.
Churches; to facilitate the building and endowing of new Churches in spiritually destitute Districts - - - - -	(E.) 127.
Cider, to repeal so much of 3 & 4 Will. 4, c. 68, as requires Persons applying for Licences for the Sale of, to enter into a Bond with Sureties - - - - -	(I.) 103.
Cinque Ports, for the better Administration of Justice in - - -	(E.) 48.
Coal Mines, to amend the Laws for the Inspection of - - - - -	(G. B.) 108.

		<i>Cap.</i>
Coffee, for granting certain Duties of Customs on - - - -	(U. K.)	21.
Colonial Lighthouses, to facilitate the Erection and Maintenance of -	(U. K.)	91.
Common Law Courts at Westminster, to continue 13 & 14 Vict. c. 16, } for enabling the Judges of, to alter the Forms of Pleading - - }	(E.)	26.
Common Law Procedure Act, 1854, to extend to Ireland the Provision } of the Eighteenth Section of - - - - - }	(I.)	7.
Commons Inclosure; to authorise the Inclosure of certain Lands, in } pursuance of a Report of the Inclosure Commissioners for England } and Wales - - - - - }	(E.)	14.
Consolidated Fund, to apply 3,300,000 <i>l.</i> out of, to the Service of the } Year ending 31 March 1855 - - - - - }	(U. K.)	5.
———— to apply 20,000,000 <i>l.</i> out of, to the Service of the Year 1855	(U. K.)	6.
———— to apply 10,000,000 <i>l.</i> out of, to the Service of the Year 1855	(U. K.)	37.
———— (Appropriation); to apply a Sum out of the Consolidated } Fund and the Surplus of Ways and Means to the Service of the } Year 1855, and to appropriate the Supplies granted in this Session } of Parliament - - - - - }	(U. K.)	129.
Consular Agents (British) abroad, enabled to administer Oaths and do } Notarial Acts - - - - - }	(U. K.)	42.
Convention with Sardinia; to carry into effect a Convention between } Her Majesty and the King of Sardinia - - - - - }	(U. K.)	17.
Convention with United States; to give Effect to a Convention } between Her Majesty and the United States of America - - }	(U. K.)	77.
Copyhold and Inclosure Commissions, to continue Appointments under } the Act for consolidating - - - - - }	(E.)	52.
Costs, for the Payment of, in Proceedings instituted on behalf of the } Crown in Matters relating to the Revenue - - - - - }	(U. K.)	90.
County Elections, to amend 2 & 3 Will. 4, c. 65, so far as relates to } the Procedure in - - - - - }	(S.)	24.
Crime and Outrage, to continue 11 & 12 Vict. c. 2, for the better } Prevention of - - - - - }	(I.)	112.
Criminal Justice, for diminishing Expense and Delay in the Adminis- } tration of, in certain Cases - - - - - }	(E.)	126.
Crown Debts, for the better Protection of Purchasers against - -	(E.)	15.
Crown Lands; to authorise the letting Parts of the Royal Forests of } Dean and Woolmer, and certain other Parts of the Hereditary Pos- } sessions of the Crown - - - - - }	(E.)	16.
Crown Suits, for the Payment of Costs in, in Matters relating to the } the Revenue, and for the Amendment of the Procedure and Practice } in Crown Suits in the Court of Exchequer - - - - - }	(U. K.)	90.
Customs, to suspend the Decline of Duties of, on Tea, from and after } 5th April 1855 - - - - - }	(U. K.)	9.
———— for granting certain Duties of, on Tea, Coffee, Sugar, and } other Articles - - - - - }	(U. K.)	21.
———— to consolidate certain Acts, and otherwise amend the Laws } of the Customs - - - - - }	(U. K.)	96.
———— for the Amendment and Consolidation of the Customs Tariff } Acts - - - - - }	(U. K.)	97.

D.

Dead, to amend the Laws concerning the Burial of - - - -	(S.)	68.
———— further to amend the Laws concerning the Burial of - -	(E.)	128.
Dean Forest, to authorise the letting Part of - - - - -	(E.)	16.
Deaths, to make further Provision for the Registration of - - -	(S.)	29.

		<i>Cap.</i>
Declarations; to allow Affirmations or Declarations to be made instead of Oaths in certain Cases - - - - -	(S.)	25.
Defamation, for abolishing the Jurisdiction of the Ecclesiastical Courts of England and Wales in Suits for - - - - -	(E.)	41.
Defences to Actions (frivolous or fictitious); to facilitate the Remedies on Bills of Exchange and Promissory Notes by the Prevention of frivolous or fictitious Defences to Actions thereon - - - - -	(E.)	67
Degrees, to repeal the Stamp Duties payable on, in the University of Oxford - - - - -	(E.)	36.
———— to repeal the Stamp Duties payable on, in the University of Dublin - - - - -	(I.)	82.
Desertion. <i>See</i> Army.		
Despatch of Business (Court of Chancery); to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery, and to vest in the Lord Chancellor the Ground and Buildings of the said Court situate in Southampton Buildings, Chancery Lane, with Powers of Leasing and Sale thereof - - - - -	(E.)	134.
Diplomatic Agents (British) abroad, enabled to administer Oaths, and do Notarial Acts - - - - -	(U. K.)	42.
Diseases, for the better Prevention of - - - - -	(E.)	116.
———— to consolidate and amend the Nuisances Removal and Diseases Prevention Acts, 1848 and 1849 - - - - -	(E.)	121.
Distillation (Illicit), to amend 17 & 18 Vict. c. 89, for the Suppression of - - - - -	(I.)	62.
Downing Street Public Offices Extension; to enable the Commissioners of Her Majesty's Works and Public Buildings to provide additional Offices for the Public Service in or near Downing Street, Westminster - - - - -	(E.)	95.
Drainage; to empower the Commissioners of Sewers to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates - - - - -	(E.)	30.
———— to authorise the Application of certain Sums granted by Parliament for Drainage and other Works of Public Utility in Ireland, towards the Completion of certain Navigations undertaken in connexion with Drainages; and to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith - - - - -	(I.)	110.
Dublin (City); to amend 17 & 18 Vict. c. 99, to provide for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum, in Dublin - - - - -	(I.)	44.
———— to amend the Dublin Carriage Acts - - - - -	(I.)	65.
———— to discontinue the taking of Toll on the Turnpike Roads leading from, and to provide for the Maintenance of such Roads as Public Roads, and for the Discharge of the Debts due thereon - - - - -	(I.)	69.
———— to abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of Trinity College, Dublin, and of certain Professors in the said College; and to repeal the Stamp Duties payable on Matriculations and Degrees in the University of Dublin - - - - -	(I.)	82.
Dwelling Houses for the Labouring Classes, for facilitating the Erection of - - - - -	(E.)	132.
———— to facilitate the Erection of, for the Working Classes - - - - -	(S.)	88.
E.		
East India Company, to relieve from the Obligation to maintain the College at Haileybury - - - - -	(E.)	53.
Ecclesiastical Courts, for abolishing the Jurisdiction of, in Suits for Defamation - - - - -	(E.)	41.

Cap.

Ecclesiastical Jurisdiction, to continue certain temporary Provisions } concerning - - - - - }	(E.)	75.
Ecclesiastical Property, to provide that the Property or Income Tax } payable in respect of the Income from, in Ireland, shall be a Deduc- } tion in estimating the Value of such Property for the Purpose of } Taxation by the Ecclesiastical Commissioners - - - - - }	(I.)	28.
Edinburgh (Lands); to ratify conditional Agreements entered into by } the Commissioners of Her Majesty's Works and Public Buildings; } and to vest in them certain Property situate near the College of } Edinburgh, together with the General Register House in the said } City, and all Lands held therewith; and to enable the Commissioners } to acquire certain Property near the Palace of Holyrood - - - - - }	(S.)	80.
Education of Children in the Receipt of Out-door Relief, to provide for,	(E.)	34.
----- to render more secure the Conditions upon which Money is } advanced out of the Parliamentary Grant for the Purposes of Educa- } tion - - - - - }	(G. B.)	131.
Endowed Schools, to facilitate Inquiries of Commissioners of - - -	(I.)	59.
Enlistment of Foreigners; to permit Foreigners to be enlisted and to } serve as Officers and Soldiers in Her Majesty's Forces - - - - - }	(U. K.)	2.
Exchequer; to amend an Act to regulate the Office of the Receipt of } Her Majesty's Exchequer at Westminster - - - - - }	(U. K.)	96.
Exchequer Bills; raising 17,183,000 <i>l.</i> for the Service of the Year 1855,	(U. K.)	8.
Exchequer Bills and Bonds; raising 7,000,000 <i>l.</i> for the Service of the } Year 1855 - - - - - }	(U. K.)	130.
Exchequer (Court of); to amend the Provisions of 13 & 14 Vict. c. 51 -	(I.)	50.
----- for the Amendment of the Procedure and Practice in Crown } Suits in the Court of Exchequer - - - - - }	(U. K.)	90.
Excise, for granting certain additional Rates and Duties of - - -	(G. B. & I.)	22.
----- to impose increased Rates of Excise Duty on Spirits distilled } in the United Kingdom; to allow Malt, Sugar, and Molasses to be } used Duty-free in the distilling of Spirits; and to amend the Laws } relating to the Duties of Excise - - - - - }	(G. B. & I.)	94.

F.

Fisheries (North America); to carry into effect a Treaty between Her } Majesty and the United States of America - - - - - }	(U. K.)	3.
Fisheries (British Islands and France); for the more effectual Execution } of the Convention between Her Majesty and the French Government } concerning the Fisheries in the Seas between the British Islands and } France - - - - - }	(U. K.)	101.
Foreigners; to permit Foreigners to be enlisted and to serve as Officers } and Soldiers in Her Majesty's Forces - - - - - }	(U. K.)	2.
French (the Emperor of); to enable Her Majesty to carry into effect a } Convention made between Her Majesty, the Emperor of the French, } and his Imperial Majesty the Sultan - - - - - }	(U. K.)	99.
Friendly Societies, to consolidate and amend the Law relating to - -	(U. K.)	63.

G.

Gold Wedding Rings; for excepting from the Operation of 17 & 18 } Vict. c. 96, relating to the Standard of Gold and Silver Wares, and } from the Exemptions contained in other Acts relating to Gold Wares }	(U. K.)	60.
Grand Juries of Counties, enabled to present for Payment of Expenses } in certain Cases - - - - - }	(I.)	74.
Grants of Lands and Tenements for the Purpose of Religious Worship, } to facilitate, - - - - - }	(I.)	39.

H.

Haileybury College, to relieve the East India Company from the Obligation to maintain - - - - -	(E.)	53.
House Drainage, to empower the Commissioners of Sewers to expend on, a certain Sum out of the Monies borrowed by them on the Security of the Rates - - - - -	(E.)	30.
House of Commons, to enable a Third Principal Secretary of State and a Third Under Secretary of State to sit in - - - - -	(U. K.)	10.
—— to prevent Doubts as to the Validity of certain Proceedings in - - - - -	(U. K.)	33.
—— to provide for the Performance of certain Duties of the Speaker during his temporary Absence from - - - - -	(U. K.)	84.
Huddersfield Burial Ground Act, 1852, to amend the Provisions of - - - - -	(E.)	89.

I.

Inclosure of Lands; to authorise the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales - - - - -	(E.)	14.
—— - - - - -	(E.)	61.
Inclosure Commission; to continue Appointments under the Copyhold and Inclosure Commissions Act - - - - -	(E.)	52.
Income; for granting to Her Majesty an increased Rate of Duty on Profits arising from Property, Professions, Trades, and Offices - - - - -	(U. K.)	20.
—— to provide that the Property or Income Tax payable in respect of the Income from Ecclesiastical Property in Ireland shall be a Deduction in estimating the value of such Property for the Purpose of Taxation by the Ecclesiastical Commissioners - - - - -	(I.)	28.
—— to continue 16 & 17 Vict. c. 91, for extending for a limited Time the Provision for Abatement of Income Tax in respect of Insurance on Lives - - - - -	(G. B. & I.)	35.
Incumbered Estates, to extend the Period for applying for a Sale under the Acts for facilitating the Sale and Transfer of - - - - -	(I.)	73.
Indemnity; annual Act to indemnify such Persons as have omitted to qualify themselves for Offices and Employments, and to extend the Time for those Purposes respectively - - - - -	(U. K.)	49.
India, to amend certain Acts relating to the Supreme Courts of Judicature in - - - - -	(U. K.)	93.
Industrial Schools; to amend the Act to render Industrial Schools more available for the Benefit of Vagrant Children - - - - -	(S.)	87.
Infants, enabled, with the Approbation of the Court of Chancery, to make binding Settlements of their Real and Personal Estate, on Marriage - - - - -	(E.)	43.
Inland Revenue, to amend the Laws relating to Bonds and Securities to - - - - -	(G. B.)	78.
Insurance on Lives; to continue 16 & 17 Vict. c. 91, for extending for a limited Time the Provision for Abatement of Income Tax in respect of - - - - -	(G. B. & I.)	35.
Intestacy; to alter in certain respects the Law of Intestate Moveable Succession - - - - -	(S.)	23.
Inverness Bridge; to extend the Provisions of 14 & 15 Vict. c. 66, for rebuilding the Bridge over the River Ness at Inverness - - - - -	(S.)	113.

J.

Joint Stock Companies, for limiting the Liability of Members of certain - - - - -	(E.)	133.
Judgments, for the better Protection of Purchasers against - - - - -	(E.)	15.
Judicature, to amend certain Acts relating to the Supreme Courts of, in India - - - - -	(U. K.)	93.

		<i>Cap.</i>
Jurisdiction of the Stannary Court, to amend and extend - - -	(E.)	32.
—— of Ecclesiastical Courts in Suits for Defamation, for abolishing	(E.)	41.
Jurisdiction (Ecclesiastical), to continue certain temporary Provisions } concerning - - - - - }	(E.)	75.
Justice, for the better Administration of, in the Cinque Ports - -	(E.)	48.

K.

Keighley (W. R. York), to confirm Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the District of - - - - - }	E.	125.
Kinnegad to Athlone, to discontinue the taking of Toll on the Turnpike Road from, and to provide for the Maintenance of such Road - }	(I.)	69.

L.

Labouring Classes, for facilitating the Erection of Dwelling Houses for Lancaster (County Palatine of), for further assimilating the Practice in, to that of other Counties with respect to the Trial of Issues from the Superior Courts at Westminster - - - - - }	E.	132.
—— to enable the Chancellor and Council of the Duchy of, to sell and purchase Land on behalf of Her Majesty, Her Heirs and Successors, in right of the said Duchy - - - - - }	E.	45.
—— to enable the Chancellor and Council of the Duchy of, to sell and purchase Land on behalf of Her Majesty, Her Heirs and Successors, in right of the said Duchy - - - - - }	E.	58.
Lands, to authorise the Inclosure of certain, in pursuance of a Report of the Inclosure Commissioners for England and Wales - - - }	(E.)	14.
—— to facilitate Grants of, for the Purpose of Religious Worship, and other Purposes connected therewith - - - - - }	(E.)	61.
—— to facilitate Grants of, for the Purpose of Religious Worship, and other Purposes connected therewith - - - - - }	(I.)	39.
Ledbury (Hereford); for appropriating the Corps of the Prebend or Portion of Netherhall Ledbury, and for constituting the Living of Ledbury a Rectory with Cure of Souls, and for augmenting the Endowments thereof - - - - - }	(E.)	92.
Library (Public), to amend 17 & 18 Vict. c. 99, to provide for the Care of, in Dublin - - - - - }	(I.)	44.
Libraries; for further promoting the Establishment of Free Public Libraries and Museums - - - - - }	(I.)	40.
—— for further promoting the Establishment of Free Public Libraries and Museums in Municipal Towns, and for extending it to Towns governed under Local Improvement Acts, and to Parishes - - }	(E.)	70.
Licences for the Sale of Beer, Cider, or Spirits by Retail, to repeal so much of 3 & 4 Will. 4, c. 68, as requires Persons applying for, to enter into a Bond with Sureties - - - - - }	(I.)	103.
—— Public Houses, for the Transfer of - - - - -	(I.)	114.
Life Annuities, and Cases of Lis pendens, for the better Protection of Purchasers against - - - - - }	(E.)	15.
Life Insurance, to continue 16 & 17 Vict. c. 91, for extending for a limited Time the Provision for Abatement of Income Tax in respect of - - - - - }	(G. B. & I.)	35.
Lighthouses (Colonial), to facilitate the Erection and Maintenance of	(U. K.)	91.
Limited Liability of Members of certain Joint Stock Companies - -	(E.)	133.
Lis Pendens, for the better Protection of Purchasers against Cases of -	(U. K.)	15.
Loan; for raising 16,000,000 <i>l.</i> by way of Annuities - - - - -	(U. K.)	18.
—— to authorize the Commissioners of the Treasury to make Arrangements concerning a certain Loan advanced by way of Relief to the Island of Tobago - - - - - }	(U. K.)	107.
—— See also Turkish Loan. Sardinia.		

	<i>Cap.</i>
Loans advanced by way of Relief to the Islands of Antigua, Nevis, and Montserrat, to authorize the Commissioners of the Treasury to make Arrangements concerning certain - - - - -	(U. K.) 71.
London, for the better Local Management of - - - - -	(E.) 120.
Lunacy Regulation Act, 1853, to explain and amend - - - - -	(E.) 13.
Lunatic Asylums (Private), to continue 5 & 6 Vict. c. 123, for amending the Law relative to - - - - -	(I.) 76.
Lunatic Asylums (Public), Act, 1853, to amend, and also the Acts passed in the 9th and 17th Years of Her Majesty, for the Regulation and Care of Lunatics - - - - -	(E.) 105.
— (Advances); to make further Provisions for the Repayment of Advances out of the Consolidated Fund for the Erection and Enlargement of Asylums for the Lunatic Poor, and to amend the Laws with reference to the Repayments in case of Change of Districts, and the Appointment of Commissioners of General Control and Correspondence - - - - -	(I.) 109.
M.	
Malacca, to amend certain Acts relating to the Court of Judicature of Prince of Wales Island, Singapore, and Malacca - - - - -	(U. K.) 93.
Malt, allowed to be used Duty-free in the distilling of Spirits - - - - -	(G. B. & I.) 94.
Manufactures, to allow Spirit of Wine Duty-free to be used in - - - - -	(U. K.) 38.
Marine Mutiny; for the Regulation of Her Majesty's Royal Marine Forces while on shore - - - - -	(U. K.) 12.
Marriages, to make further Provision for the Registration of - - - - -	(S.) 29.
— to render valid certain Marriages in Christ Church in the Chapelry of Todmorden and Parish of Rochdale, in the Counties of Lancaster and York - - - - -	(E.) 66.
Matriculations in the University of Dublin, to repeal the Stamp Duties payable on - - - - -	(I.) 82.
— in the University of Oxford, to repeal the Stamp Duties payable on - - - - -	(E.) 36.
Measures; for legalising and preserving the restored Standards of Weights and Measures - - - - -	(U. K.) 72.
Merchant Shipping Act, 1854, to amend - - - - -	(U. K.) 91.
Metropolis, for the better Local Management of - - - - -	(E.) 120.
— to amend the Laws relating to the Construction of Buildings in the Metropolis and its Neighbourhood - - - - -	(E.) 122.
Middlesbrough (N. R. York), to confirm Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the District of - - - - -	(E.) 125.
Militia, to enable Her Majesty to accept the Services of, out of the United Kingdom, for the vigorous Prosecution of the War - - - - -	(U. K.) 1.
— (No. 2.) to amend the Laws relating to - - - - -	(E.) 57.
— to amend the Law concerning the Qualification of Officers of the Militia - - - - -	(U. K.) 100.
— to remove Doubts as to the Commissions of Officers of, in Ireland, who have omitted to deliver to the Clerk of the Peace Descriptions of their Qualifications, and to indemnify them against the Consequences of such Omission, and to amend the Law relating to the Militia in Ireland - - - - -	(I.) 19.
Militia Ballots Suspension; to suspend the making of Lists and the Ballots for the Militia of the United Kingdom - - - - -	(U. K.) 106.
Militia Pay; to defray the Charge of the Pay, Clothing, &c. of the Disembodied Militia in Great Britain and Ireland; to grant Allowances, in certain Cases, to Subaltern Officers, &c.; and to authorise the Employment of the Non-commissioned Officers - - - - -	(U. K.) 123.

	<i>Cap.</i>
Molasses, allowed to be used Duty-free in the distilling of Spirits, in lieu of Allowances and Drawbacks on such Molasses - - - - - }	(G. B. & I.) 94.
Montserrat (Island of), to authorise the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to - - - - - }	(U. K.) 71.
Museum; to amend 17 & 18 Vict. c. 99, to provide for the Erection of a Public Museum in Dublin - - - - - }	(I.) 44.
— for further promoting the Establishment of Free Public Libraries and Museums - - - - - }	(I.) 40.
— for further promoting the Establishment of Free Public Libraries and Museums in Municipal Towns, and for extending it to Towns governed under Local Improvement Acts, and to Parishes - - - }	(E.) 70.
Mutiny; for punishing Mutiny and Desertion - - - - - }	(U. K.) 11.
— (Marine); for the Regulation of Her Majesty's Royal Marine Forces while on shore - - - - - }	(U. K.) 12.

N.

National Gallery, &c. (Dublin); to amend 17 & 18 Vict. c. 99, for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum in Dublin - - - - - }	(I.) 44.
Navigation Works; to authorise the Application of certain Sums granted by Parliament for Drainage and other Works of public Utility, towards the Completion of certain Navigations undertaken in connexion with Drainages; and to amend the Acts for promoting the Drainage of Lands and Improvements in connexion therewith - }	(I.) 110.
Ness (River), to extend the Provisions of 14 & 15 Vict. c. 66, for rebuilding the Bridge over, at Inverness - - - - - }	(S.) 113.
Netherhall Ledbury. <i>See</i> Ledbury.	
Nevis (Island of), to authorise the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to - - - - - }	(U. K.) 71.
New South Wales; to enable Her Majesty to assent to a Bill, as amended, of the Legislature of New South Wales, "to confer a Constitution on New South Wales, and to grant a Civil List to Her Majesty" - - - - - }	(U. K.) 54.
Newspapers, to amend the Laws relating to the Stamp Duties on - - - - - }	(U. K.) 27.
Nuisances Removal and Diseases Prevention Acts, 1848 and 1849, to consolidate - - - - - }	(E.) 121.

O.

Oaths, to allow Affirmations or Declarations to be made instead of, in certain Cases - - - - - }	(S.) 25.
— to enable British Diplomatic and Consular Agents abroad to administer Oaths - - - - - }	(U. K.) 42.
Offices, for granting to Her Majesty an increased Rate of Duty on Profits arising from - - - - - }	(U. K.) 20.
Offices and Employments, annual Indemnity Act for Persons neglecting to qualify for - - - - - }	(U. K.) 49.
Ordnance, for transferring the Powers and Estates vested in the Principal Officers of, to One of Her Majesty's Principal Secretaries of State - - - - - }	(U. K.) 117.
Outrage, to continue 11 & 12 Vict. c. 2, for the better Prevention of - - - - - }	(U. K.) 112.
Oxford (University of), to repeal the Stamp Duties payable on Matriculation and Degrees in - - - - - }	(E.) 36.

P.

Parliamentary Representation in Scotland, to amend 2 & 3 Will. 4, c. 65, so far as relates to the Procedure in County Elections in that Country - - - - -	(S.)	24.
Passenger Ships (Chinese), for the Regulation of - - - - -	(U. K.)	104.
Passengers, to amend the Law relating to the Carriage of, by Sea -	(U. K.)	119.
Pleading, to continue 13 & 14 Vict. c. 16, for enabling the Judges of the Courts of Common Law at Westminster to alter the Forms of -	(E.)	26.
Poor; to continue 17 & 18 Vict. c. 43, for charging the Maintenance of certain poor Persons in Unions upon the Common Fund - - -	(E.)	47.
—— to continue the Exemption of Inhabitants from Liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor - - - - -	(E.)	51.
—— to amend the Law regarding the burial of poor Persons by Guardians and Overseers of - - - - -	(E.)	79.
Prince of Wales Island; to amend certain Acts relating to the Court of Judicature of Prince of Wales Island, Singapore, and Malacca -	(U. K.)	93.
Promissory Notes, to facilitate the Remedies on, by the Prevention of frivolous or fictitious Defences to Actions thereon - - - - -	(E.)	67.
Property and Professions, for granting to Her Majesty an increased Rate of Duty on Profits arising from - - - - -	(U. K.)	20.
Public Health Act, 1854, to continue and amend - - - - -	(E.)	115.
—— to confirm Provisional Orders of the General Board of Health, applying the Public Health Act, 1848, to the Districts of Middles- brough, Windhill, Christchurch, Keighley, Tunstall, and Toxteth Park, and for Alteration of the Boundaries of the District of Romford - - - - -	(E.)	125.
Publications, to provide for the Transmission of periodical Publica- tions by Post - - - - -	(U. K.)	27.
Public Houses, for the Transfer of Licences of - - - - -	(I.)	114.
Public Libraries and Museums (free), for further promoting the Establishment of - - - - -	(I.)	40.
—— for further promoting the Establishment of, in Municipal Towns, and for extending it to Towns governed under Local Im- provement Acts, and to Parishes - - - - -	(E.)	70.
Public Works; to enable the Commissioners of Her Majesty's Works and Public Buildings to provide additional Offices for the Public Service in or near Downing Street, Westminster - - - - -	(E.)	95.
Purchasers' Protection against Judgments; for the better Protection of Purchasers against Judgments, Crown Debts, Cases of Lis- pendens, and Life Annuities or Rentcharges - - - - -	(E.)	15.

Q.

Queen, The; to carry into effect a Treaty between Her Majesty and the United States of America - - - - -	(U. K.)	3.
—— to carry into effect a Convention between Her Majesty and the King of Sardinia - - - - -	(U. K.)	17.
—— to enable Her Majesty to assent to a Bill, as amended, of the Legislature of New South Wales, "to confer a Constitution on New "South Wales, and to grant a Civil List to Her Majesty" - - -	(U. K.)	54.
—— to enable Her Majesty to assent to a Bill, as amended, of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria - - - - -	(U. K.)	55.
—— to give effect to a Convention between Her Majesty and the United States of America - - - - -	(U. K.)	77.

Cap.

Queen, The, for carrying into effect the Engagements between Her Majesty and certain Chiefs of the Sherbro Country near Sierra Leone in Africa, for the more effectual Suppression of the Slave Trade -	(U. K.)	85.
— to enable Her Majesty to carry into effect a Convention made between Her Majesty, the Emperor of the French, and His Imperial Majesty the Sultan - - - - -	(U. K.)	99.
— for the more effectual Execution of the Convention between Her Majesty and the French Government, concerning the Fisheries in the Seas between the British Islands and France - - -	(U. K.)	101.

R.

Raglan (Emily Harriet Lady, and Richard Henry Fitzroy Lord); to settle Annuities on Emily Harriet Lady Raglan, and Richard Henry Fitzroy Lord Raglan, and the next surviving Heir Male of his Body, in consideration of the eminent Services of the late Field Marshal Lord Raglan - - - - -	(U. K.)	64.
Reformatory and Industrial Schools; to amend the Act for rendering them more available for the Benefit of Vagrant Children - -	(S.)	87.
Registration of Births, Deaths, and Marriages, to make further Provision for - - - - -	(S.)	29.
Religious Worship, to facilitate Grants of Land and Tenements for the Purpose of, and other Purposes connected therewith - -	(I.)	39.
— to amend the Law concerning the certifying and registering of Places of Religious Worship - - - - -	(E.)	81.
— for securing the Liberty of Religious Worship - - -	(E.)	86.
Rentcharges, for the better Protection of Purchasers against - -	(E.)	15.
Revenue; for the Payment of Costs in Proceedings instituted in behalf of the Crown in Matters relating to the Revenue - - - -	(U. K.)	90.
Rochdale, to render valid certain Marriages in Christchurch in the Chapelry of Todmorden and Parish of - - - - -	(E.)	66.
Romford (Essex), to confirm Provisional Order of the General Board of Health for Alteration of the Boundaries of the District of - -	(E.)	125.

S.

Sale of Beer, &c.; to repeal 17 & 18 Vict. c. 79, for further regulating the Sale of Beer and other Liquors on the Lord's Day, and to substitute other Provisions in lieu thereof - - - - -	(E.)	118.
Sardinia; to carry into effect a Convention between Her Majesty and the King of Sardinia - - - - -	(U. K.)	17.
School Grants; to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education - - - - -	(G. B.)	131.
Schools; to facilitate Inquiries of Commissioners of Endowed Schools in Ireland - - - - -	(I.)	59.
— to amend the Act to render Reformatory and Industrial Schools more available for the Benefit of Vagrant Children - - - -	(S.)	87.
Secretary of State; to enable a Third Principal Secretary and a Third Under Secretary of State to sit in the House of Commons - -	(U. K.)	10.
— for transferring to One of Her Majesty's Principal Secretaries of State the Powers and Estates vested in the Principal Officers of the Ordnance - - - - -	(U. K.)	117.
Securities to the Inland Revenue, to amend the Law relating to - -	(G. B.)	78.
Sewers (House Drainage); Commissioners of Sewers empowered to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates, and also to give to the said Commissioners certain other Powers for the same Purpose -	(E.)	30.

		<i>Cap.</i>
Sherbro Country, near Sierra Leone, in Africa, to carry into effect the Engagements between Her Majesty and certain Chiefs of, for the more effectual Suppression of the Slave Trade - - - - }	(U. K.)	85.
Singapore; to amend certain Acts relating to the Court of Judicature of Prince of Wales Island, Singapore, and Malacca - - - }	(U. K.)	93.
Slave Trade; for carrying into effect the Engagements between Her Majesty and certain Chiefs of the Sherbro Country, near Sierra Leone, in Africa, for the more effectual Suppression of the Slave Trade - - - - }	(U. K.)	85.
South Wales. See New South Wales.		
Speaker of the House of Commons, to provide for the Performance of certain Duties of, during his temporary Absence from the House of Commons - - - - }	(U. K.)	84.
Spirit of Wine, allowed to be used Duty-free in the Arts and Manufactures of the United Kingdom - - - - }	(U. K.)	38.
Spirits, &c.; for granting certain Additional Rates and Duties of Excise - - - - }	(G. B. & I.)	22.
Spirits; to amend 17 & 18 Vict. c. 89, for amending the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons, and for the Suppression of illicit Distillation - - - - }	(I.)	62.
— to amend 17 & 18 Vict. c. 89, relating to the Sale of Spirits by unlicensed Persons and illicit Distillation; and also to repeal so much of 3 & 4 Will. 4, c. 68, as requires Persons applying for Licenses for the Sale of Spirits by Retail to enter into a Bond with Sureties - - - - }	(I.)	103.
— to impose increased Rates of Excise Duty on Spirits distilled in the United Kingdom, and to allow Malt, Sugar, and Molasses to be used Duty-free in the distilling of Spirits, instead of Allowances and Drawbacks on such Spirits, Sugar, and Molasses respectively -	(G. B. & I.)	94.
Stage Carriages, to reduce certain Duties payable on - - -	(G. B.)	78.
Stamp Duties, to amend the Laws relating to - - -	(G. B.)	78.
— on Newspapers, to amend the Laws relating to - - -	(U. K.)	27.
— payable on Matriculation and Degrees in the University of Oxford, to repeal - - - - }	(E.)	36.
— payable on Matriculation and Degrees in the University of Dublin, to repeal - - - - }	(I.)	82.
Standards of Weights and Measures, for legalizing and preserving the restored - - - - }	(U. K.)	72.
Stannary Court, to amend and extend the Jurisdiction of - - -	(E.)	32.
Stock in Trade, to continue the Exemption of Inhabitants from Liability to be rated as such, in respect of Stock in Trade or other Property, to the Relief of the Poor - - - - }	(E.)	51.
Sugar, for granting certain Duties of Customs on - - -	(U. K.)	21.
— for granting certain additional Rates and Duties of Excise on -	(G. B. & I.)	22.
— to allow Sugar to be used Duty-free in the distilling of Spirits, in lieu of Allowances and Drawbacks on such Sugar - - - }	(G. B. & I.)	94.
Sultan; to enable Her Majesty to carry into effect a Convention made between Her Majesty, the Emperor of the French, and His Imperial Majesty, the Sultan - - - - }	(U. K.)	99.
Supplies; to apply 3,300,000 <i>l.</i> out of the Consolidated Fund to the Service of the Year ending 31st March 1855 - - - - }	(U. K.)	5.
— to apply 20,000,000 <i>l.</i> out of the Consolidated Fund to the Service of the Year 1855 - - - - }	(U. K.)	6.
— for raising 17,183,000 <i>l.</i> by Exchequer Bills, for the Service of the Year 1855 - - - - }	(U. K.)	8.
— for raising 16,000,000 <i>l.</i> by way of Annuities - - -	(U. K.)	18.

Cap!

Supplies; to apply 10,000,000 <i>l.</i> out of the Consolidated Fund to the Service of the Year 1855 - - - - - }	(U. K.)	37.
——— for raising 7,000,000 <i>l.</i> by Exchequer Bills and Bonds, for the Service of the Year 1855 - - - - - }	(U. K.)	130.
——— Appropriation of - - - - - }	(U. K.)	129.

T.

Tea, to suspend the Decline of the Customs Duties on, from and after 5th April 1855 - - - - - }	(U. K.)	9.
——— for granting certain Duties of Customs on - - - - - }	(U. K.)	21.
Tenements, to facilitate Grants of, for the Purpose of Religious Worship and other Purposes connected therewith - - - - - }	(I.)	39.
Tithe Commutation Acts, for completing Proceedings under - - - - - }	(E.)	52.
Tobago, to authorize the Commissioners of the Treasury to make Arrangements concerning a certain Loan advanced by way of Relief to the Island of - - - - - }	(U. K.)	107.
Todmorden; to render valid certain Marriages in Christ Church, in the Chapelry of (Lancaster and York) - - - - - }	(E.)	66.
Toxteth Park (Lancaster), to confirm Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the District of - - - - - }	(E.)	125.
Trades, for granting to Her Majesty an increased Rate of Duty on Profits arising from - - - - - }	(U. K.)	20.
Trinity College, Dublin, to abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of, and of certain Professors in the said College - - - - - }	(I.)	82.
Tunstall (Stafford), to confirm Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the District of - - - - - }	(E.)	125.
Turkish Loan; to enable Her Majesty to carry into effect a Convention made between Her Majesty, His Majesty the Emperor of the French, and his Imperial Majesty the Sultan - - - - - }	(U. K.)	99.
Turnpike Acts, to continue certain - - - - - }	(G. B.) (I.)	98. 83.
Turnpike Trusts, to confirm certain Provisional Orders made under 14 & 15 Vict. c. 38, to facilitate Arrangements for the Relief of - - - - - }	(E.)	102

U.

Union Charges Act Continuance; to continue 17 & 18 Vict. c. 43, for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund - - - - - }	(E.)	47.
Union of Contiguous Benefices, to make better Provision for - - - - - }	(E.)	127.
United States of America, to carry into effect a Treaty between Her Majesty and - - - - - }	(U. K.)	3.
——— to give Effect to a Convention between Her Majesty and - - - - - }	(U. K.)	77.

V.

Validity of Proceedings (House of Commons), to prevent doubts as to - - - - - }	(U. K.)	33.
Vagrant Children, to amend the Act to render Reformatory Schools more available for the Benefit of - - - - - }	(S.)	87.
Victoria (Colony of); to enable Her Majesty to assent to a Bill, as amended, of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria - - - - - }	(U. K.)	55.

W.

Cap.

Waste Lands of the Crown in Her Majesty's Australian Colonies; to repeal the Acts of Parliament now in force respecting the Disposal of such Waste Lands, and to make other Provisions in lieu thereof - }	(U. K.)	56.
Wedding Rings; for excepting Gold Wedding Rings from the Operation of 17 & 18 Vict. c. 96, relating to the Standard of Gold and Silver Wares, and from the Exemptions contained in other Acts relating to Gold Wares - - - - - }	(U. K.)	60.
Weights and Measures, for legalizing and preserving the restored Standards of - - - - - }	(U. K.)	72.
West Indies Relief Loans Arrangement; to authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to the Islands of Antigua, Nevis, and Montserrat - - - - - }	(U. K.)	71.
Windhill (York), to confirm Provisional Order of the General Board of Health applying the Public Health Act, 1848, to the District of - }	(E.)	125.
Woolmer Forest, to authorize the letting Part of - - - - - }	(E.)	16.
———— for disafforesting - - - - - }	(E.)	46.
Working Classes, to facilitate the Erection of Dwelling-Houses for -	(S.)	88.

Y.

Youthful Offenders, to amend 17 & 18 Vict. c. 86, for the better Care and Reformation of, and the Act 17 & 18 Vict. c. 74, to render Reformatory and Industrial Schools more available for the Benefit of Vagrant Children - - - - - }	(S.)	87.
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5 July 1855. 18 & 19 VICT.



A

B I L L

TO

Settle Annuities on Emily Harriet Lady Raglan
and Richard Henry Fitzroy Lord Raglan, and
the next surviving Heir Male of his Body, in
consideration of the eminent Services of the
late Field Marshal Lord Raglan.

Most Gracious Sovereign,

WHEREAS Your Majesty, by Your most gracious Message, Preamble.
hath been pleased to signify that Your Majesty, taking
into Consideration the great and brilliant Services per-
5 formed by the late Fitzroy James Henry Lord Raglan, Field Marshal
in Your Majesty's Army, and Commander-in-Chief of Your Majesty's
Forces at the Seat of War in the East, in the course of the Hostilities
which have taken place in the Crimea; and being desirous, in
Recognition of these and his other distinguished Merits, to confer
10 some signal Mark of Your Favour upon his Widow Emily
Harriet Lady Raglan, upon his Son and Successor to the Title
Richard Henry Lord Raglan, and the next surviving Heir
Male of the Body of the said Richard Henry Lord Raglan,
" recommended to Your faithful Commons the Adoption of such
15 " Measures as might be necessary for the Accomplishment of that
[Bill 228.] " Pur-

“ Purpose :” Therefore we, Your Majesty’s most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, duly considering Your Majesty’s gracious Intention, do most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

An Annuity of 1,000*l.* to be paid to Lady Raglan, and an Annuity of 2,000*l.* to Lord Raglan and his next Heir Male.

I. An Annuity of *One thousand Pounds* shall be paid to Emily Harriet Lady Raglan, Widow of the late Fitzroy James Henry Lord Raglan, for her natural Life, and an Annuity of *Two thousand Pounds* shall be paid to Richard Henry Fitzroy Lord Raglan for his natural Life, and after his Decease to the next surviving Heir Male of the Body of the said Richard Henry Fitzroy Lord Raglan who may succeed to the Title of Lord Raglan, for the natural Life of such Successor; and the said Annuities shall be deemed to have commenced and taken effect upon the *Second Day of July* One thousand eight hundred and fifty-five; and the First Payment of a proportionate Part thereof respectively for the Period from such Commencement thereof to the Tenth Day of October One thousand eight hundred and fifty-five shall be made on the said Tenth Day of October One thousand eight hundred and fifty-five; and the said Annuities respectively shall thereafter be paid quarterly on the Fifth Day of January, the Fifth Day of April, the Fifth Day of July, and the Tenth Day of October in every Year; and such Annuities respectively shall be payable out of and charged upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland, (after paying or reserving sufficient to pay all such Sums of Money as have been directed to be paid out of the same by former Acts of Parliament, but with Preference to all other Payments which shall hereafter be charged upon and payable out of the said Fund,) and the Receipts of the said Emily Harriet Lady Raglan, (as to the said Annuity of *One thousand Pounds*), and of the said Richard Henry Fitzroy Lord Raglan and the next surviving Heir Male of the Body of the said Richard Henry Fitzroy Lord Raglan on whom the Title shall descend (as to the said Annuity of *Two thousand Pounds*), or of such other Person as shall be duly authorized and appointed by the Person for the Time being entitled to such respective Annuity to receive the same, shall be good and sufficient Discharges for the Payments thereof; the said Annuities to be free and clear from all Taxes, Rates, and Assessments, and all other Charges whatsoever, except Income Tax.

II. It

II. It shall be lawful for the Commissioners of Her Majesty's Treasury to direct Payment of the said Annuity. Treasury to direct Payment of the said Annuity.
Treasury, and they are hereby authorized and required, by Warrant or Warrants under their Hands, to direct the Payment of the said Annuities according to the Provision herein-before contained.

- 5 III. The said Annuity of *Two thousand Pounds* shall be vested in the said Richard Henry Fitzroy Lord Raglan and the next surviving Heir Male of the Body of the said Richard Henry Fitzroy Lord Raglan to whom the said Title of Lord Raglan shall descend, and shall not be aliened, charged, or incumbered by the said Richard
10 Henry Fitzroy Lord Raglan for any greater or larger Estate or Time than during the natural Life of the Person so aliening, conveying, disposing, charging, or incumbering the same, so as to prevent the same from descending to the next surviving Heir Male of the Body of the said Richard Henry Fitzroy Lord Raglan to whom the said Title
15 of Lord Raglan shall descend according to the Limitation aforesaid. Annuity of 2,000*l.* not to be aliened or encumbered.

Lady Raglan and Lord Raglan's Annuities.

A

B I L L

To settle Annuities on Emily Harriet Lady
Raglan and Richard Henry Fitzroy
Lord Raglan and the next surviving
Heir Male of his Body, in considera-
tion of the eminent Services of the late
Field Marshal Lord Raglan.

(Prepared and brought in by
*Mr. FitzRoy, Viscount Palmerston, and the
Chancellor of the Exchequer.*)

*Ordered, by The House of Commons, to be Printed,
5 July 1855.*

[Bill 228.]

Under 1 oz.

Railways (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

Short Title; Sect. 1.

“The Railways Act (Ireland), 1851,” to be continued; 2.

Act to apply to Railways in Ireland authorized in this Session, &c.
and heretofore authorized; 3.

Incorporation of “The Railways Act (Ireland), 1851;” 4.

Where Part only of Lands under Lease taken, Rent to be apportioned
by Arbitrator; 5.

Arbitrator in Award and Jury upon Trial of Traverse to have regard
to collateral to Advantages to accrue from Railway; 6.

Railway Company may take Lands on Lease; 7.

Parties under Disability may convey; 8.

Interpretation Clause; 9.

Act to extend to Ireland only; 10.

Continuance of Act Five Years; 11.

17 May 1855. 18 VICT.



A

B I L L

TO

Continue the Railways Act (Ireland), 1851, and to make further Provisions in respect to the Acquisition of Lands for Railways in Ireland.

[Note.— The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS by an Act of Parliament passed in the Session held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, the short Title whereof is “The Railways Act (Ireland), 1851,” certain Provisions were made for ascertaining by Arbitrators the Purchase Money or Compensation to be paid by Railway Companies in Ireland for Lands required for their Undertakings, and for determining Differences with respect to the Works to be made and maintained by such Companies for the Accommodation of the Owners and Occupiers of Lands adjoining such Railway Undertakings; and it was by said Act enacted, [that the same should continue in force for Five Years next after the passing thereof, and thence to the End of the then next Session of Parliament: And whereas it is expedient to continue the said Act for a further Period, and to amend the Provisions thereof: Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in
[Bill 136.] A this

Preamble.
14 & 15 Vict.
c. 70.

this present Parliament assembled, and by the Authority of the same, as follows :

Short Title. I. In citing this Act in other Acts of Parliament, legal Instruments, Proceedings at Law or in Equity, and all other Instruments and Proceedings whatsoever, it shall be sufficient to use the Expression, "The 5 Railways Act (Ireland), 1855."

The Railways Act (Ireland), 1851, to be continued. II. "The Railways Act (Ireland), 1851," shall be, and the same is hereby continued for the Term of *Five Years* from the passing of this Act, and thenceforth until the End of the then next Session of Parliament. 10

Act to apply to Railways in Ireland authorized in this Session, &c. and heretofore authorized. III. This Act shall apply to every Railway in Ireland authorized to be made by any Act passed in this Session of Parliament, or which shall hereafter be passed, and which shall authorize the Purchase or taking of Lands for such Railway, and also to every Railway or Portion of a Railway in Ireland, by any Act heretofore passed 15 authorized to be made, and in relation to which the compulsory Powers for taking Lands are still in force; and this Act shall be incorporated with and form Part of the Acts authorizing the said Undertakings.

Incorporation of "The Railways Act (Ireland), 1851." IV. "The Railways Act (Ireland), 1851," as amended and continued 20 by this Act, shall be incorporated with and form Part of this Act.

Where Part only of Lands under Lease taken, Rent to be apportioned by Arbitrator. V. If it shall appear to any Arbitrator under "The Railways Act (Ireland), 1851," that any Lands are comprised in a Lease for an unexpired Term, and Part only of such Lands shall be required for the Purposes of the Special Act, such Arbitrator shall award and 25 apportion the Rent payable under such Lease between the said Lands so required and the Residue of such Lands, and shall note in his Draft Award and Award the Particulars of such Abatement, and indorse the same upon such Lease when required so to do, and after such Apportionment the Lessee of such Lands shall, as to all future 30 accruing Rent, be liable only to such Portion of the Rent as shall have been so apportioned upon and in respect of the Lands not required for the Purposes of the Special Act; and as to the Lands not so required, and as against the Lessee, the Lessor shall have all the same Rights and Remedies for the Recovery of such Portion of Rent 35 as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to the Residue or Lands not required for the Purposes of the Special Act, in the same 40 Manner

Manner as they would have done in case such Residue only had been included in the Lease.

VI. In framing his Draft Award and Award under "The Railways Act (Ireland), 1851," every Arbitrator, when setting forth the Price or Compensation to be paid by the Company in respect of the several Interests in the Lands required or injuriously affected by the Company, shall take into consideration any collateral Advantages which may result or accrue to the Parties entitled to such Interests, or any of them, by reason of the Works of the Company, and shall make Abatement or Abatements accordingly; and every Jury to try a Traverse under "The Railways Act (Ireland), 1851," shall be sworn a true Verdict to give whether any and what Damages will be sustained by the Traverser, regard being had as well to the Value of the Lands of such Traverser required, and to the Injury to any Lands of such Traverser injuriously affected by the Works of the Company, as also to any collateral Advantages which may result or accrue to such Traverser by reason of such Works, or (as the Case may be) as to what Accommodation Works ought to be made and maintained by the Company for the Accommodation of the Lands of the Traverser, or to the like Effect, respectively, as the Case may be.

Arbitrator in Award and Jury upon Trial of Traverse to have regard to collateral Advantages to accrue from Railway.

VII. It shall be lawful for the Company to enter into and accept a Lease or Leases of Lands required for their Undertaking, and for Parties Owners of or otherwise interested in such Lands, and not under Disability or Incapacity so to do, and for Parties under Disability or Incapacity, with the Approbation of the Court of Chancery in Ireland, as herein-after provided, to demise or lease such Lands for such annual Rent, but without Fine, and under and subject to such Reservations and Conditions as shall have been agreed upon.

Railway Company may take Lands on Lease.

VIII. It shall be lawful for any Party under any Disability or Incapacity, with the Approbation of the Court of Chancery in Ireland, to sell and convey to the Company any Lands required for the Purposes of a Railway in Ireland, or any Interest in such Lands, for such Consideration, whether valuable or nominal, and under and subject to such Covenants, Reservations, and Agreements as that Court shall direct and approve of; and upon the Petition of the Company the Court shall direct such References and order such Inquiries as may be requisite as to the actual Value of such Lands, and as to the Advantages, immediate or prospective, which may accrue to such Lands from the Construction of the proposed Railway, and may require Notice of such Petition to be given to any Person interested in such Lands, in Remainder or Reversion, and thereupon may permit such Party to sell and convey such Lands, or any Interest therein, to the

Parties under Disability may convey.

Company for such Consideration, whether valuable or nominal, and under and subject to such Covenants, Reservations, and Agreements as the Court shall direct or approve of, or may make such Order upon such Petition as shall seem fit: Provided always, that Notice of such Petition shall be given for *Three* successive Weeks in the Dublin 5 Gazette, and also in some One and the same Newspaper circulating in the County where such Lands shall be situate.

Interpreta-
tion Clause.

IX. In the Construction of this Act the Words "the Company" shall mean the Company constituted by the Special Act.

Act to
extend to
Ireland only.
Continuance
of Act Five
Years.

X. This Act shall extend to Ireland only.

10

XI. This Act shall continue in force for *Five Years* next after the passing thereof, and thence to the End of the then next Session of Parliament.

Railways (Ireland).

A

B I L L

To continue the Railways Act (Ireland), 1851, and to make further Provisions in respect to the Acquisition of Lands for Railways in Ireland.

(Prepared and brought in by
Mr. Isaac Butt and Mr. Beaminster.)

Ordered, by The House of Commons, to be Printed,
17 May 1855.

[Bill 136.]

Under 1 oz.

Railways (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

Short Title; Sect. 1.

Act to apply to Railways in Ireland authorized in this Session, &c.
and heretofore authorized; 2.

Incorporation of "The Railways Act (Ireland), 1851;" 3.

Where Part only of Lands under Lease taken, Rent to be apportioned
by Arbitrator; 4.

Railway Company may take Lands on Lease; 5.

Parties having qualified or limited Interests may convey; 6.

Interpretation Clause; 7.

Act to extend to Ireland only; 8.

Continuance of Act; 9.

11 *June* 1855. 18 VICT.



A

BILL

[AS AMENDED IN COMMITTEE]

TO

Amend the Railways Act (Ireland), 1851, and to make further Provisions in respect to the Acquisition of Lands for Railways in Ireland.

Note.—The Clause marked A. was added in Committee.

W
HEREAS by an Act of Parliament passed in the Session
Preamble.
14 & 15 Vict.
c. 70.

held in the Fourteenth and Fifteenth Years of the Reign
of Her present Majesty, the short Title whereof is “ The

Railways Act (Ireland), 1851,” certain Provisions were made for ascer-
taining by Arbitrators the Purchase Money or Compensation to be paid

by Railway Companies in Ireland for Lands required for their Under-
takings, and for determining Differences with respect to the Works to

be made and maintained by such Companies for the Accommodation
of the Owners and Occupiers of Lands adjoining such Railway Under-

takings; and it was by said Act enacted, [that the same should
continue in force for Five Years next after the passing thereof, and

thence to the End of the then next Session of Parliament: And
whereas it is expedient to amend the Provisions of the said Act: Be it

therefore enacted by the Queen’s most Excellent Majesty, by and with
the Advice and Consent of the Lords Spiritual and Temporal, and

[Bill 167.]
A Commons,

Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Short Title. I. In citing this Act it shall be sufficient to use the Expression, "The Railways Act (Ireland), 1855."

Act to apply to Railways in Ireland authorized in this Session, &c. and heretofore authorized.

II. This Act shall apply to every Railway in Ireland authorized to be made by any Act passed in this Session of Parliament, or which shall hereafter be passed, and which shall authorize the Purchase or taking of Lands for such Railway, and also to every Railway or Portion of a Railway in Ireland, by any Act heretofore passed authorized to be made, and in relation to which the compulsory Powers for taking Lands are still in force; and this Act shall be incorporated with and form Part of the Acts authorizing the said Undertakings. 5

Incorporation of "The Railways Act (Ireland), 1851."

III. "The Railways Act (Ireland), 1851," as amended by this Act, shall be incorporated with and form Part of this Act. 15

Where Part only of Lands under Lease taken, Rent to be apportioned by Arbitrator.

IV. If it shall appear to any Arbitrator under "The Railways Act (Ireland), 1851," that any Lands are comprised in a Lease for an unexpired Term, and Part only of such Lands shall be required for the Purposes of the Special Act, such Arbitrator shall award and apportion the Rent payable under such Lease between the said Lands so required and the Residue of such Lands, and shall note in his Draft Award and Award the Particulars of such Apportionment, and indorse the same upon such Lease when required so to do, and after such Apportionment the Lessee of such Lands shall, as to all future accruing Rent, be liable only to such Portion of the Rent as shall have been so apportioned upon and in respect of the Lands not required for the Purposes of the Special Act; and as to the Lands not so required, and as against the Lessee, the Lessor shall have all the same Rights and Remedies for the Recovery of such Portion of Rent as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to the Residue or Lands not required for the Purposes of the Special Act, in the same Manner as they would have done in case such Residue only had been included in the Lease. 20 25 30 35

CLAUSE A.
Power to convey for a Rentcharge.

V. It shall be lawful for Persons having a qualified or limited Interest in any Lands required for the Undertaking of any Railway Company, and authorized to be purchased for the Purposes of the Special Act, with the like Approbation of the Court of Chancery in Ireland 40

Ireland as is herein-after provided, to sell and convey such Lands or any Part thereof unto the Company, in consideration of an annual Rentcharge payable by the Company, and charged on the Tolls and Rates of their Undertaking, and recoverable from them in the same
5 Manner as is enacted in the Eleventh Section of the Lands Clauses Consolidation Act, 1845, with respect to the Rentcharges therein mentioned.

VI. It shall be lawful for any Party having such qualified or limited
Interest, with the Approbation of the Court of Chancery in Ireland,
10 to sell and convey to the Company any Lands required for the Pur-
poses of a Railway in Ireland, or any Interest in such Lands, for such
Consideration, whether valuable or nominal, and under and subject to
such Covenants, Reservations, and Agreements as that Court shall
direct and approve of; and upon the Petition of the Company the
15 Court shall direct such References and order such Inquiries as may
be requisite as to the Value of such Lands, and as to the Advan-
tages, immediate or prospective, which may accrue to such Lands
from the Construction of the proposed Railway, and may require
Notice of such Petition to be given to any Person interested in such
20 Lands, in Remainder or Reversion, and thereupon may permit such
Party to sell and convey such Lands, or any Interest therein, to the
Company for such Consideration, whether valuable or nominal, and
under and subject to such Covenants, Reservations, and Agreements
as the Court shall direct or approve of, or may make such Order upon
25 such Petition as shall seem fit: Provided always, that Notice of such
Petition shall be given for Three successive Weeks in the Dublin
Gazette, and also in some One and the same Newspaper circulating
in the County where such Lands shall be situate.

Parties
having quali-
fied or li-
mited In-
terests may
convey.

VII. In the Construction of this Act the Words "the Company"
30 shall mean the Company constituted by the Special Act.

Interpreta-
tion Clause.

VIII. This Act shall extend to Ireland only.

Act to
extend to
Ireland only.

IX. This Act shall continue in force for One Year next after the
passing thereof, and thence to the End of the then next Session of
Parliament.

Continuance
of Act.

Railways (Ireland).

A

B I L L

[AS AMENDED IN COMMITTEE]

To amend the Railways Act (Ireland), 1851, and to make further Provisions in respect to the Acquisition of Lands for Railways in Ireland.

(Prepared and brought in by
Mr. Isaac Butt and Mr. Beamish.)

Ordered, by The House of Commons, to be Printed,
11 June 1855.

[Bill 167.]

Under 1 oz.

21 June 1855. 18 & 19 VICT.



A

B I L L

TO

Transfer Ramsgate Harbour to the Trinity House,
and to provide for the future Maintenance and
Improvement thereof, and for the future Abolition
of the Passing Toll.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

WHEREAS an Act was passed in the Thirty-second Year of Preamble.
the Reign of His late Majesty King George the Third,
Chapter Seventy-four, intituled “An Act for the Main- 32 G. 3. c. 74.
“tenance and Improvement of the Harbour of Ramsgate in the (Loc. & Per.)
5 “County of Kent, and for cleansing, amending, and preserving the
“Haven of Sandwich in the same County:” And whereas another
Act was passed in the Thirty-seventh Year of the Reign of his late
Majesty King George the Third, intituled “An Act for amending an 37 G. 3. c. 86.
“Act passed in the Thirty-second Year of the Reign of His present (Loc. & Per.)
10 “Majesty, intituled ‘An Act for the Maintenance and Improvement
“of the Harbour of Ramsgate in the County of Kent, and for
“cleansing, amending, and preserving the Haven of Sandwich in the
“same County:” And whereas another Act was passed in the
Fifty-fifth Year of the Reign of His late Majesty King George
15 the Third, intituled “An Act to alter and amend Two Acts, made in 55 G. 3. c. 84.
“the Thirty-second and Thirty-seventh Years of His present Majesty, (Loc. & Per.)
“for the Support and Maintenance of Ramsgate Harbour in the
[Bill 185.] A “County

“ County of Kent:” And whereas by the said first-recited Act certain Trustees were appointed for carrying the said Act into execution: And whereas certain extraordinary Works and Repairs are now in progress, and it is necessary to complete the same before the Service and Expenditure of the said Harbour can be reduced within permanent and ordinary Limits: And whereas it is expedient to make fresh Provision for the Management and Government of the said Harbour, and to provide for the future Abolition of the Passing Tolls now levied for its Maintenance, under the Authority of the said Acts or one of them: Be it enacted by the Queen’s most Excellent Majesty, 10 by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, that,

Certain Sections of recited Acts repealed.

I. Sections 2, 3, 4, 5, 6, 7, 35, 50, 53, and 57 of the said first-recited Act, and Sections 1, 2, 3, 4, and 6 of the said secondly-recited 15 Act, and Sections 33, 34, 35, 36, and 37 of the said thirdly-recited Act, are hereby repealed.

Corporation of the Trinity House to be Trustees of the Harbour.

II. The Corporation of the Trinity House of Deptford Strond (herein-after called the Trinity House) shall be the sole Trustees under the said Acts for the Government and Management of the said 20 Harbour, and shall solely have and exercise all Powers, Authorities, Rights, and Privileges by the said Acts or any of them vested in the Trustees of the said Harbour, or in the Committee of Treasury of the said Trustees, or in the Committee of Managers or Directors chosen by the said Trustees; and all the Powers, Authorities, Rights, 25 and Privileges of any Persons, Bodies Politic or Corporate, other than the said Trinity House, now being Trustees of the said Harbour, as such Trustees, shall absolutely cease.

Real and Personal Estate and Liabilities of the Trustees vested in and binding on the Trinity House.

III. All the Lands, Tenements, and Hereditaments, Monies, Rights, Claims, Easements, and Privileges, and all Goods, Chattels, Effects, 30 Deeds, Books, Writings, and Property of the Trustees of the said Harbour, shall be vested in the Trinity House for such Estate and Interest, and in or after such Sort, Manner, and Form, for, in, or after which the same respectively were at or immediately before the Time at which this Act comes into operation vested in the said Trustees; and 35 all Persons in whom any Real or Personal Property shall immediately before the Time aforesaid be vested in trust for the said Trustees shall stand possessed thereof and interested therein in trust for the Trinity House; and all Persons who immediately before the Time aforesaid owed any Money to the said Trustees, Committee of Treasury, or 40 Committee of Managers or Directors, shall pay the same, together with all Interest (if any) due or to accrue due for the same, to the Trinity House;

House; and all Debts which immediately before the Time aforesaid were due and owing by the said Trustees, Committee of Treasury, or Committee of Managers or Directors, shall be paid, with all Interest (if any) due and to accrue due thereon, by the Trinity House; and all Conveyances, Contracts, Bonds, Covenants, Liabilities, Securities, Arrangements, and Agreements made, entered into, or enuring before the Time aforesaid, to, with, in favour of, or by or for the said Trustees, shall be and remain as valid and effectual, in favour of or against and with reference to the Trinity House, and may be proceeded on, enforced, and satisfied in the same Manner, to all Intents and Purposes, as if the Trinity House was named or referred to therein instead of the said Trustees.

IV. No Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the said Trustees previous to the Time at which this Act comes into operation shall abate or be discontinued or prejudicially affected by this Act, but, on the contrary, the same shall continue to take effect, either in favour of or against the Trinity House, in the same Manner in all respects as the same would have continued and taken effect in relation to the said Trustees if this Act had not been passed.

Actions, &c.
not to abate.

V. The Trinity House, as such Trustees as aforesaid, may impose and levy the following Rates or Duties; that is to say,

Trinit may
House
levy Tolls.

- (1.) On every Vessel of whatever Size entering the said Harbour, excepting Fishing Boats belonging to Ramsgate and Vessels using the said Harbour solely as a Harbour of Refuge, a Duty of *Threepence* per Ton, and a further Duty of *One Penny* per Ton for every Week after the First Four Weeks during which such Vessel remains in the said Harbour:
- (2.) On all Cargoes or Goods landed or shipped in the said Harbour, a Duty not exceeding *Two Shillings* for each Ton Weight of such Cargoes or Goods:
- (3.) On every Passenger embarking from or landing on the Pier of the said Harbour, a Duty not exceeding *Threepence*:

And the Trinity House may, with the Consent of the Board of Trade, from Time to Time vary such Rates or Duties by reducing or raising the same, provided that such Rates or Duties do not at any Time exceed the Amount herein-before authorized to be levied.

Incorporation of
Harbours
Clauses Act.

VI. The Clauses numbered 27, 28, 29, 32, and 33 of the Harbours, Docks, and Piers Clauses Act, 1847, and the Clauses with respect to the Recovery and Collection of Rates of the same Act, shall be incorporated with this Act; and the Special Act mentioned in the

Harbours, Docks, and Piers Clauses Act, 1847, shall for the Purposes of such Clauses be deemed to be this Act.

Trinity
House to
receive
Per-centage
on Salvage.

VII. After the Day of , the Trinity House as such Trustees as aforesaid shall be entitled to receive a Per-centage of Five per Centum on all Salvage paid in respect of any 5 Ship or Boat, or Cargo, or Apparel of any Ship or Boat, or any Wreck or other Property which may be brought into the said Harbour; and such Per-centage shall be deducted from the Salvage, and shall be paid to the said Trinity House before the Remainder of the Salvage is paid over to the Salvors, and shall be recoverable by the 10 same Means by which the Salvage is recoverable.

Stock, &c.
and invested
Property to
be held by
Trinity
House on
trust for the
Purposes of
the Har-
bour.

VIII. All Property which shall become vested in or held in trust for the Trinity House under this Act, and all Income therefrom, shall be held and applied upon trust for the Maintenance and Improvement of the said Harbour, and of the Services and Expenses 15 connected therewith; and the Trinity House, with the Consent of the Board of Trade, from Time to Time may sell such Property or any Part thereof, and apply the Produce for the Purposes aforesaid, and also, with such Consent as aforesaid, may reinvest the Sum arising from such Sale or any Part thereof, and also any 20 surplus Cash which shall be at any Time in their Hands as such Trustees as aforesaid, and which shall not be required to defray the Charges growing due for the ordinary or extraordinary Expenditure on account of the said Harbour, upon such Securities as shall be approved by the Board of Trade. 25

Income and
Money to be
carried to
the Mercan-
tile Marine
Fund Ac-
count, and
to be subject
to the same
Regulations
as that Fund.

IX. All Income from Property vested in or held in Trust for the Trinity House under this Act shall be carried to the Mercantile Marine Fund Account mentioned in the "Merchant Shipping Act, 1854;" but a separate Account shall be kept of the Receipt and Expenditure of such Income; and all such Income shall be applied 30 exclusively to Purposes connected with the said Harbour and the Maintenance and Improvement thereof; and all such Income, and the Receipt and Expenditure thereof, shall be subject to the like Supervision and Control, and to like Provisions with respect to Estimates, Accounts, and the Audit of Accounts, as are contained in the 35 said last-mentioned Act with respect to the Rates and Monies received by the Trinity House as therein mentioned.

Power to su-
perannuate.

X. The Trinity House may, with the Sanction of the Board of Trade, grant Superannuations or Compensations out of the Mercantile Marine Fund to Persons employed in or about Ramsgate Harbour, 40 and who are discharged or retire, so nevertheless that no Superannuation

annuation Allowance or Compensation to any Person so discharged or retiring shall exceed the Proportion of his Salary which might be granted to a Person in the Public Civil Service under the Act of the Fourth and Fifth Years of King William the Fourth, Chapter 5 Twenty-four, or under any other Act for regulating such Superannuation Allowances or Compensations for the Time being in force.

XI. The said Harbour, and all Property at or near Ramsgate so transferred or to be transferred to or in trust for the said Trinity House as aforesaid, shall be deemed to be extra-parochial, and shall 10 be subject to no Rates or other Payments for any local Purposes whatever, except the Duties herein-before made payable to the Trinity House.

XII. So soon as the said extraordinary Works and Repairs herein-before mentioned are completed, the Board of Trade, having regard to 15 the probable annual Income derivable from the Rates or Duties hereby made leviable, and from the Property, Real and Personal, applicable to the Service of the said Harbour, and also to the probable annual ordinary Expenditure on account of the said Harbour, shall fix a Period at the Expiration of which such annual Income will in 20 their Opinion be sufficient to meet such annual ordinary Expenditure, and shall give *Three Months* Notice of a Day to be fixed by them in the London Gazette, on and after which Day all the Powers of the said Trustees or of the said Trinity House under the said Acts of George the Third, or any of them, to levy Rates on Ships passing 25 from, to, or by Ramsgate, shall absolutely determine.

XIII. This Act shall come into operation on the First Day of October One thousand eight hundred and fifty-five.

Harbour to be extra-parochial.

Board of Trade to fix a Day after which Powers of old Trustees to levy Passing Tolls shall cease.

Time at which Act to come into operation.

Ramsgate Harbour.

A

B I L L

To transfer Ramsgate Harbour to the Trinity House, and to provide for the future Maintenance and Improvement thereof, and for the future Abolition of the Passing Toll.

(*Prepared and brought in by
Mr. FitzRoy, Mr. Bouvier, and Mr. Wilson.*)

*Ordered, by The House of Commons, to be Printed,
21 June 1855.*

[Bill 185.]

Under 1 oz.

14 May 1855. 18 VICT.



A

B I L L

TO

Amend the Law in England and Wales with
reference to the Assessment of Mines to the
Relief of the Poor.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

WHEREAS it has been held by the Courts of Law that no Preamble.
Mines other than Coal Mines are rateable to the Relief of
the Poor under the Provisions of the Act passed in the
Forty-third Year of the Reign of Queen Elizabeth, Chapter Two,
5 and it is expedient that such Exemption should not exist: Be it
therefore enacted by the Queen's most Excellent Majesty, by and
with the Advice and Consent of the Lords Spiritual and Temporal,
and Commons, in this present Parliament assembled, and by the
Authority of the same, as follows :

- 10 I. That from and after the *Twenty-ninth Day of September* next All Mines to
be rated as
Coal Mines.
all Mines in England and Wales other than Coal Mines shall be
rateable to the Relief of the Poor in like Manner as Coal Mines.

- 15 II. Provided, That where any Mine shall at the passing of this
Act be held upon a Lease, reserving Rent or Money, Royalty, Toll, Proviso
for existing
Leases.
or Due other than in Kind, the Occupier of the Mine which by
reason of this Statute shall become rateable shall be entitled to
deduct from the Rent, Royalty, Toll, or Due payable under such
[Bill 121.] Lease

Lease *One Moiety* of the Sum charged upon him towards the said Rate in respect of such Mine before the Day upon which such Rent shall have accrued, and the Lessor or Person otherwise entitled to such Rent, Royalty, Toll, or Due shall allow such Deduction in part Payment thereof.

5

Title of Act. III. This Act may be cited as the "Rating of Mines Act, 1855."

Rating of Mines.

A

B I L L

To amend the Law in England and Wales
with reference to the Assessment of
Mines to the Relief of the Poor.

(Prepared and brought in by
Mr. Kendall, Mr. Robartes, and
Mr. Michael Williams.)

Ordered, by The House of Commons, to be Printed,
14 May 1855.

[Bill 121.]
Under 1 oz.

18 *June* 1855. 18 VICT.



(No. 2.)

A

B I L L

TO

Amend the Law in England and Wales with
reference to the Assessment of Mines (other
than Coal Mines) to the Relief of the Poor.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.

WHEREAS it has been held by the Courts of Law that the Preamble.
Occupiers of Mines in England and Wales (other than
Coal Mines) are not rateable to the Relief of the Poor,
and that although it has been held that Lords Dues from such Mines
5 are rateable when reserved in Kind, yet that they are not rateable
when payable in Money, and it is expedient that such Distinction
should no longer exist, and to render the rating of such Mines
certain and uniform: Be it therefore enacted by the Queen's most
Excellent Majesty, by and with the Advice and Consent of the
10 Lords Spiritual and Temporal, and Commons, in this present
Parliament assembled, and by the Authority of the same, as follows:

1. From and after the *Twenty-ninth Day of September* next, the Mode and
Rate of As-
sessment.
Occupiers of all such Mines shall be rated and assessed to all Rates
and Assessments made for the Relief of the Poor in the several
15 Parishes in which such Mines shall be situated, and the annual
rateable Value of such Mines for the Purpose of such Assessment
shall be ascertained and estimated at the Sum which for the Year
[Bill 175.] ending

ending on the *Twenty-fifth Day of March* immediately preceding each Assessment shall have accrued due to the Lord for Rent, Royalty, Toll, or Dues in respect of such Mine, or the Value thereof in Money where the same shall be rendered in Kind: Provided nevertheless, that no Rent, Royalty, Toll, or Dues which shall have been 5 given up by the Lord shall be included in any such Estimate; provided also, that where any Mine shall be worked either by the Lord himself, or by any other Persons, without any such reserved Rent, Royalty, Toll, or Dues, or where any Fine, Premium, or other Consideration (other than a reserved Rent, Royalty, Toll, or Dues,) 10 shall have been paid or agreed to be paid to the Lord in lieu of or in addition to any such Rent, Royalty, Toll, or Dues, the annual rateable Value of any such Mine shall under such Circumstances be ascertained and fixed at the Amount which would if such Mine had been granted in the usual Way have accrued to the Lord for Rent, 15 Royalty, Toll, or Dues in respect of such Mine for the then previous Year, to be computed as aforesaid, at the Rate usually reserved in like Mines within the Parish or District (including the next adjoining Parishes) in which such Mine shall be situated; provided also, that no Rate or Assessment for the Relief of the Poor other than is 20 herein provided for shall be made or assessed either on the Lord or the Occupiers of any such Mine in respect thereof, or the Rent, Royalty, Toll, or Dues arising therefrom.

Deduction
of Rate from
Rent, &c.

II. Where the Occupiers of any Mine held under any Lease or Grant in operation at the Time of the passing of this Act, whereby 25 the Rent, Royalty, Toll, or Dues thereby reserved shall either be payable only in Money, or in Money or Kind, at the Option of the Lord, shall not before the passing of this Act have paid any Rate or Assessment for the Relief of the Poor in respect of such Mine, or the Rent, Royalty, Toll, or Dues reserved by such Lease or Grant, 30 such Occupiers shall be entitled to deduct from the Rent, Royalty, Toll, or Dues payable under any such Lease or Grant *One Moiety* of all Sums of Money which by virtue of the Provisions of this Act shall be assessed on such Occupiers in respect of such Mine during the Continuance of such Lease or Grant; and the Lord shall allow 35 such Deductions in part Payment thereof, notwithstanding any Covenant or Agreement to the contrary contained in any such Lease or Grant.

Name of
Occupiers
need not be
inserted in
Rate.

III. It shall not be necessary in any such Rate or Assessment to insert the Names of the Occupiers of any such Mine, but it shall be 40 sufficient to describe them generally in any such Rate or Assessment as "the Occupiers," and in the Description of the Property rated to describe the Mine by the Name by which it is generally known or other local Description.

IV. In

IV. In the Construction of this Act the Word "Mine" shall mean any Mine Works or Operations carried on for the Purpose of searching for, raising, and rendering merchantable any Metals or Minerals the Occupiers of which were not before the passing of the Act liable
5 to be rated to the Relief of the Poor in England and Wales; the Word "Occupiers" shall mean the Adventurers for the Time being in any Mine, or other the Persons working the same by themselves, or their Agents or Workmen; and the Word "Lord" shall mean the Owner for the Time being of the Metals and Minerals raised in the
10 working of any such Mine before the raising thereof.

Interpreta-
tion Clause.

V. This Act may be cited as "The Rating of Mines Act, 1855." Short Title.

Rating of Mines.

(No. 2.)

A

BILL

To amend the Law in England and Wales
with reference to the Assessment of
Mines (other than Coal Mines) to the
Relief of the Poor.

(Prepared and brought in by
*Mr. Kendal, Mr. Robartes, and
Mr. Michael Williams.*)

*Ordered, by The House of Commons, to be Printed,
18 June 1855.*

[Bill 175.]

Under 1 oz.

26 March 1855. 18 VICT.



A

B I L L

TO

Make further Provision for the Registration of
Births, Deaths, and Marriages in Scotland.

[Note.—The Words printed in *Italics* are proposed to be inserted in
Committee.]

WHEREAS it is expedient to amend the Act passed in the Preamble.
Seventeenth and Eighteenth Year of the Reign of Her
present Majesty, intituled “An Act to provide for the 17 & 18 Vict.
“better Registration of Births, Deaths, and Marriages in Scotland:” c. 80.

5 Be it enacted by the Queen’s most Excellent Majesty, by and with
the Advice and Consent of the Lords Spiritual and Temporal, and
Commons, in this present Parliament assembled, and by the Autho-
rity of the same, as follows :

10 I. In addition to the Officers authorized by the Fourth Section of
the recited Act to be appointed, it shall be lawful for the Registrar Superintendent of Sta-
General, with the Approbation of the Commissioners of Her Majesty’s tistics ap-
Treasury, to appoint a properly qualified Person as Superintendent of pointed.
Statistics, who shall be resident in Edinburgh, and shall be under the
Control of the Registrar General, and whose Duty shall be the
15 Preparation and Publication of Statistical Tables containing all such
Particulars regarding the Births and Deaths, Marriages and Diseases,
of the Persons registered under the Provisions of the said Act, and
all such other Particulars as the Registrar General shall direct to be
[Bill 65.] A enumerated

enumerated and set forth for the public Information, and also such Clerks or Officers as may be necessary in aid of such Superintendent; and the Salary of such Superintendent (the Amount whereof shall not exceed _____), and the Salaries of such Clerks and Officers, shall be fixed by the said Commissioners of the Treasury, 5 and be paid in manner prescribed by the Fifth Section of the said Act.

Landward
and Burghal
Parts of
Parishes
may be
united.

II. It shall be lawful for the Sheriff if he shall think it expedient, upon a joint Application of the Parochial Board of any Parish and of the Town Council of any Burgh situated within such Parish, or upon 10 the Application of the Registrar General, to unite such Burgh or any Portion thereof to any Landward Portion of such Parish.

Registrar General, failing Parochial Board, may apply for Dismissal of incompetent Registrars.

III. If any Parochial Board shall neglect or refuse to apply, under the Authority of the Fifteenth Section of the recited Act, to the Sheriff for the Removal of any incompetent Registrar, after being thereto 15 required by the Registrar General, it shall be lawful for the Registrar General himself to apply to the Sheriff, and such and the like Procedure in all respects shall in such Case be had and take place as if the Application had been made by the Parochial Board.

Examination
of Registers
by Sheriff
repealed, and
Examiners
appointed.

IV. So much of the Fifty-third and Fifty-fourth Sections of the 20
recited Act as requires the Examination of the Registers and the
Authentication thereof by the Sheriff shall be and the same is hereby
repealed; and no Penalty or Breach of Duty or other Consequence
shall be deemed to be incurred, or to arise from the Non-authentica-
tion heretofore of any of the said Registers or Duplicate Registers 25
which shall have been sanctioned or acquiesced in by the Registrar
General or the Sheriff, anything in the said Act to the contrary not-
withstanding; and it shall be lawful for the Registrar General, with
the Approbation of the said Commissioners of the Treasury, to divide
Scotland into *Seven* Districts, and from Time to Time to alter such 30
Districts, and with such Approbation to appoint for each District a fit
and competent Person to be the Examiner thereof, who shall be paid
such annual Allowance as shall be fixed by the said Commissioners of
the Treasury; and such Allowance shall be apportioned by the
Registrar General upon the several Parishes within each District 35
according to the Valuation of such Parishes under the Act Seventeenth
and Eighteenth Victoria, Chapter Ninety-one; and the Sums so
apportioned shall be levied and paid by the Parochial Board of each
Parish in such and in the like Manner as is prescribed by the Fiftieth
Section of the said Act in relation to the Payment of the Regis- 40
trar; and the necessary travelling Expenses of such Examiners shall
also be paid, in such and the like Manner as the Expenses specified
in

in the Fifth Section of the said Act are directed to be paid; and it shall be the Duty of such Examiners, at such Time or Times as shall be fixed by the Registrar General, to proceed to their respective Districts, and there, in such Manner as shall be prescribed by the
5 Registrar General, carefully to examine and compare, along with the several Registrars within their respective Districts, the Registers and Duplicate Registers of such several Registrars, and authenticate and docquet the same, and all Alterations and Additions thereon or thereto, in such Form and Manner as the Registrar General shall
10 direct; and it shall be lawful for the Registrar General, with the Approbation of the Secretary of State for the Home Department, to frame all such Rules and Regulations as shall be necessary and expedient for such Purposes in the Manner, as far as may be, directed by the Fifty-third Section of the said Act or otherwise; and it shall in
15 like Manner be the Duty of such Examiners respectively to aid, under the Direction of the Sheriff within their respective Districts, in executing and carrying into effect the Purposes of the Eighteenth, Nineteenth, Twentieth, Fifty-third, and Fifty-fourth Sections of the said Act.

20 V. In every Case in which the Status of any Person shall be altered by a Decree of any competent Court, the Clerk to the Process shall forthwith report such Decree to the Registrar General; and it shall be lawful for the Registrar General, with the Approbation of the Sheriff of the County of Midlothian, and he is hereby required, to take all
25 Measures necessary for having the Entries in the Duplicate Registers affected by such Decree rectified, by causing the Date of the Decree and the Import thereof to be noted upon the Margin of both Duplicates opposite to such Entries, as the Registrar General shall think fit and direct.

Decrees of Court fixing Status of Parties to be noted in Register.

30 VI. In reference to the Sixty-third Section of the recited Act, the Register of corrected Entries shall be kept in Duplicate; and One of the Duplicates shall be annually transmitted to the Registrar General along with the Duplicate Registers directed by the Fifty-third Section of the said Act to be annually so transmitted.

Register of corrected Entries to be kept in Duplicate.

35 VII. The Penalties imposed by the said Act, and by the Sixty-fifth Section thereof directed to be recovered by Prosecution by the Procurator Fiscal, and when recovered to go to the Registrar General, shall instead be paid to the Queen's and Lord Treasurer's Remembrancer of the Court of Exchequer in Scotland; and the Expense of
40 all such Prosecutions, where not recovered from the Parties, shall be charged and paid in Exchequer, and the Recovery of such Penalties shall be a Part of the ordinary Duties of the Procurator Fiscal.

Penalties recovered to be paid into Exchequer.

Sheriff
Clerks to act
in execution
of Acts.

VIII. It shall in all Cases be lawful for the Sheriff Clerks in the several Counties and they are hereby required to act in aid of the Sheriff in the Execution of the Powers, Provisions, and Duties of the recited Act and of this Act in all respects as the Sheriffs may direct.

Appoint-
ments to be
exempt from
Stamp Duty.

IX. The Appointments of the Superintendents of Statistics, and 5 Examiners, and the other Clerks and Officers to be appointed under this Act, shall, in like Manner as the Appointments mentioned in the Sixteenth Section of the recited Act, be exempt from all Stamp Duties.

This Act to
be construed
with recited
Act.

X. This Act shall be deemed a Part of the recited Act, and shall 10 be construed therewith as if the said Acts formed One Act.

*Registration of Births, &c.
(Scotland).*

A

B I L L

To make further Provision for the
Registration of Births, Deaths, and
Marriages in Scotland.

*(Prepared and brought in by
Viscount Duncan, the Lord Advocate, and
Mr. Solicitor General)*

*Ordered, by The House of Commons, to be Printed,
26 March 1855.*

[Bill 65.]

Under 1 oz.

7 May 1855. 18 VICT.



(Scotland).

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Make further Provision for the Registration of Births, Deaths, and Marriages in Scotland.

[Note.—*The Clause A. was added in Committee.*]

WHEREAS it is expedient to amend the Act passed in the Preamble.
Seventeenth and Eighteenth Year of the Reign of Her
present Majesty, intituled “An Act to provide for the 17 & 18 Vict.
“better Registration of Births, Deaths, and Marriages in Scotland:” c. 80.

5 Be it enacted by the Queen’s most Excellent Majesty, by and with
the Advice and Consent of the Lords Spiritual and Temporal, and
Commons, in this present Parliament assembled, and by the Autho-
rity of the same, as follows :

10 I. It shall be lawful for the Sheriff if he shall think it expedient, Landward
upon a joint Application of the Parochial Board of any Parish and of and Burghal
the Town Council of any Burgh situated within such Parish, or upon Parts of
the Application of the Registrar General, to unite such Burgh or any Parishes
Portion thereof to any Landward Portion of such Parish, and also to may be
regulate any Questions which may arise as to the Assessment to be united.
15 levied upon such Burghs or Portions of Burghs, and upon such
Landward Portions of such Parishes respectively.

[Bill 109.]

II. If

Registrar
General,
failing Parochial Board,
may apply
for Dismissal
of incompetent Registrars.

II. If any Parochial Board shall neglect or refuse to apply, under the Authority of the Fifteenth Section of the recited Act, to the Sheriff for the Removal of any incompetent Registrar, after being thereto required by the Registrar General, it shall be lawful for the Registrar General himself to apply to the Sheriff, and such and the like Procedure in all respects shall in such Case be had and take place as if the Application had been made by the Parochial Board. 5

Examination
of Registers
by Sheriff
repealed, and
Examiners
appointed.

III. So much of the Fifty-third and Fifty-fourth Sections of the recited Act as requires the Examination of the Registers and the Authentication thereof by the Sheriff shall be and the same is hereby 10 repealed; and no Penalty or Breach of Duty or other Consequence shall be deemed to be incurred or to arise from the Non-authentication heretofore of any of the said Registers or Duplicate Registers which shall have been sanctioned or acquiesced in by the Registrar General or the Sheriff, anything in the said Act to the contrary notwithstanding; and it shall be lawful for the Registrar General, with 15 the Approbation of the said Commissioners of the Treasury, from Time to Time to divide Scotland into such Districts as he may think fit, and with such Approbation to appoint for each District a fit and competent Person to be the Examiner thereof, who shall be paid 20 such annual Allowance as shall be fixed by the said Commissioners of the Treasury, in such and the like Manner as the Expenses specified in the Fifth Section of the said Act are directed to be paid; and it shall be the Duty of such Examiners, at such Time or Times as shall be fixed by the Registrar General, to proceed to their respective 25 Districts, and there, in such Manner as shall be prescribed by the Registrar General, carefully to examine and compare, along with the several Registrars within their respective Districts, the Registers and Duplicate Registers of such several Registrars, and authenticate and docquet the same, and all Alterations and Additions thereon or 30 thereto, in such Form and Manner as the Registrar General shall direct; and it shall be lawful for the Registrar General, with the Approbation of the Secretary of State for the Home Department, to frame all such Rules and Regulations as shall be necessary and expedient for such Purposes in the Manner, as far as may be, directed by 35 the Fifty-third Section of the said Act or otherwise; and it shall in like Manner be the Duty of such Examiners respectively to aid, under the Direction of the Sheriff within their respective Districts, in executing and carrying into effect the Purposes of the Eighteenth, Nineteenth, Twentieth, Fifty-third, and Fifty-fourth Sections of the 40 said Act.

CLAUSE A.
Where
Registration

Where a Registration District, consisting of Portions of Two or more Parishes, has been erected by the Sheriff under the Provisions

visions of the said recited Act, the Powers thereby and by this Act conferred on Parochial Boards, and the Duties imposed upon such Boards, shall respectively belong to and be discharged by the qualified Heritors of such Registration District, and all Meetings
5 of such Heritors shall be called by the Registrar, or, in case of Vacancy in the Office of Registrar, by the Heritor of Lands of the highest Valuation therein; and at such Meetings the Heritor of the highest Valuation present shall preside, and shall be entitled to a casting as well as to a deliberative Vote, and Assessments under the
10 said recited Act shall be laid on according to the Manner thereby prescribed for the Case of Parishes in which there is no Assessment for the Poor.

District consists of Two Parishes.

IV. In every Case in which the Status of any Person shall be altered by a Decree of any competent Court, the Clerk to the Process shall
15 forthwith report such Decree to the Registrar General; and it shall be lawful for the Registrar General, and he is hereby required, to take all Measures necessary for having the Entries in the Duplicate Registers affected by such Decree rectified, by causing the Date of the Decree and the Import thereof to be noted upon the Margin of both Duplicates opposite to such Entries, as the Registrar General shall think fit
20 and direct.

Decrees of Court fixing Status of Parties to be noted in Register.

V. In reference to the Sixty-third Section of the recited Act, the Register of corrected Entries shall be kept in Duplicate; and One of the Duplicates shall be annually transmitted to the Registrar General
25 along with the Duplicate Registers directed by the Fifty-third Section of the said Act to be annually so transmitted.

Register of corrected Entries to be kept in Duplicate.

VI. The Penalties imposed by the said Act, and by the Sixty-fifth Section thereof directed to be recovered by Prosecution by the Procurator Fiscal, and when recovered to go to the Registrar General,
30 shall instead be paid to the Queen's and Lord Treasurer's Remembrancer of the Court of Exchequer in Scotland; and the Expense of all such Prosecutions, where not recovered from the Parties, shall be charged and paid in Exchequer, and the Recovery of such Penalties shall be a Part of the ordinary Duties of the Procurator Fiscal.

Penalties recovered to be paid into Exchequer.

VII. It shall in all Cases be lawful for the Sheriff Clerks in the several Counties, and they are hereby required, to act in aid of the Sheriff in the Execution of the Powers, Provisions, and Duties of the
35 recited Act and of this Act, in all respects as the Sheriffs may direct.

Sheriff Clerks to act in execution of Acts.

VIII. The Appointments of the Superintendents of Statistics, and
40 Examiners, and the other Clerks and Officers to be appointed under
[109.] this

Appointments to be exempt from Stamp Duty.

this Act, shall, in like Manner as the Appointments mentioned in the Sixteenth Section of the recited Act, be exempt from all Stamp Duties.

This Act to
be construed
with recited
Act.

IX. This Act shall be deemed a Part of the recited Act, and shall be construed therewith as if the said Acts formed One Act.

Registration of Births, &c.

(Scotland.)

A

B I L L

To make further Provision for the
Registration of Births, Deaths, and
Marriages in Scotland.

*(Prepared and brought in by
Viscount Duncan, the Lord Advocate, and
Mr. Solicitor General.)*

*Ordered, by The House of Commons, to be Printed,
7 May 1855.*

[Bill 109.]

Under 1 oz.

4 May 1855. 18 Vict.



A

B I L L

FOR

Securing the Liberty of Religious Worship.

WHEREAS it is expedient that the Right of freely as- Preamble.
sembling by Law accorded for Secular and Political
Objects should be extended to Religious Worship: Be
it enacted by the Queen's most Excellent Majesty, by and with the
5 Advice and Consent of the Lords Spiritual and Temporal, and Com-
mons, in this present Parliament assembled, and by the Authority of
the same, That so much of an Act passed in the Fifty-second Year of
King George the Third, Chapter One hundred and fifty-five, intituled
" An Act to repeal certain Acts, and to amend other Acts relating
10 " to Religious Worship and Assemblies, and Persons teaching or
" preaching therein," as enacts that no Congregation or Assembly
for Religious Worship of Protestants (at which there shall be present
more than Twenty Persons, besides the immediate Family and
Servants of the Person in whose House or upon whose Premises
15 such Meeting, Congregation, or Assembly shall be had,) shall be
permitted or allowed unless the Place of such Meeting is certified
as described in such Act, and further enacts that every Person who
shall knowingly permit or suffer any such Congregation or Assembly
as aforesaid to meet in any Place occupied by him, until the same
[Bill 106.] shall

Repealing
so much of
52 G. 3.
c. 155. as
prevents
more than
Twenty
Protestants
from assem-
bling for
Religious
Worship,
unless in a
certified
Place of
Meeting.

shall have been so certified, shall forfeit for every Time any such Congregation or Assembly shall meet a Sum not exceeding Twenty Pounds nor less than Twenty Shillings, at the Discretion of the Justices who shall convict for such Offence, shall be and the same is hereby repealed.

Religious Worship.

A

BILL

For securing the Liberty of Religious
Worship.

(Prepared and brought in by
Mr. Kinnaird and Mr. Horsfall.)

*Ordered, by The House of Commons, to be Printed,
4 May 1855.*

[Bill 106.]

Under 1 oz.

25 July 1855. 18 & 19 VICT.



A

B I L L

[AS AMENDED BY THE LORDS]

INTITULED

An Act for securing the Liberty of Religious Worship.

[Note.—*The Words printed in Italics and Clauses A. and B. were added, and the Words struck through were omitted, by the Lords.*]

WHEREAS it is expedient that the ~~Right of freely assembling by Law accorded for Secular and Political Objects should be extended to Religious Worship~~ *Laws affecting Assemblies for Religious Worship should be amended: And whereas by an Act*
 5 *passed in the First Year of King William and Queen Mary, intituled “An Act for exempting Their Majesties Protestant Subjects dissenting from the Church of England from the Penalties of certain Laws,” it is enacted that no Congregation or Assembly for Religious Worship shall be permitted or allowed until the Place of such Meeting shall be*
 10 *certified and registered or recorded as described in such Act: And whereas by an Act passed in the Fifty-second Year of King George the Third, Chapter One hundred and fifty-five, intituled “An Act to repeal certain Acts, and to amend other Acts, relating to Religious Worship and Assemblies, and Persons teaching or preaching*
[Bill 272.] “therein,”

“therein,” it is enacted that no Congregation or Assembly for Religious Worship of Protestants (at which there shall be present more than Twenty Persons, besides the immediate Family and Servants of the Person in whose House or upon whose Premises such Meeting, Congregation, or Assembly shall be had,) shall be 5 permitted or allowed unless the Place of such Meeting is certified as described in such Act, and that every Person who shall knowingly permit or suffer any such Congregation or Assembly as aforesaid to meet in any Place occupied by him, until the same shall have been so certified, shall forfeit for every Time any such Congregation or 10 Assembly shall meet a Sum not exceeding Twenty Pounds nor less than Twenty Shillings, at the Discretion of the Justices who shall convict for such Offence: Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present 15 Parliament assembled, and by the Authority of the same, as follows:

~~That so much of an Act passed in the First Year of King William and Queen Mary, Chapter Eighteen, intituled “An Act for exempting Their~~
~~“Majesties Protestant Subjects dissenting from the Church of England from~~
~~“the Penalties of certain Laws,” which enacts that no Congregation or 20~~
~~Assembly for Religious Worship shall be permitted or allowed by that Act~~
~~until the Place of such Meeting shall be certified as therein mentioned, and~~
~~also so much of an Act passed in the Fifty-second Year of King George the~~
~~Third, Chapter One hundred and fifty five, intituled “An Act to repeal~~
~~“certain Acts, and to amend other Acts, relating to Religious Worship and 25~~
~~“Assemblies, and Persons teaching or preaching therein,” as enacts that no~~
~~Congregation or Assembly for Religious Worship of Protestants (at which~~
~~there shall be present more than Twenty Persons, besides the immediate~~
~~Family and Servants of the Person in whose House or upon whose Premises~~
~~such Meeting, Congregation, or Assembly shall be had,) shall be permitted or 30~~
~~allowed, unless the Place of such Meeting is certified as described in such~~
~~Act, and further enacts that every Person who shall knowingly permit or suffer~~
~~any such Congregation or Assembly as aforesaid to meet in any Place~~
~~occupied by him, until the same shall have been so certified, shall forfeit for~~
~~every Time any such Congregation or Assembly shall meet a Sum not 35~~
~~exceeding Twenty Pounds nor less than Twenty Shillings, at the Discretion of~~
~~the Justices who shall convict for such Offence, and also so much of an Act~~
~~passed in the Fifteenth and Sixteenth Years of Her present Majesty, Chapter~~
~~Thirty six, intituled “An Act to amend the Law relating to the certifying~~
~~“and registering Places of Religious Worship of Protestant Dissenters,” as 40~~
~~enacts that such Place of Meeting shall or may be certified to the Registrar~~
~~General of Births, Deaths, and Marriages, shall be and the same are hereby~~
 repealed.

CLAUSE A. From and after the passing of this Act, nothing contained in the above-mentioned Acts, or in an Act passed in the Fifteenth and Sixteenth Years of the Reign of Her Majesty, Chapter Thirty-six, shall apply to the Congregations or Assemblies hereinafter mentioned, or any of them; that is to say,

No Prosecution to be maintainable for assembling for Religious Worship in a Place of Meeting not certified.

(1) To any Congregation or Assembly for Religious Worship held in any Parish or any Ecclesiastical District, and conducted by the Incumbent, or in case the Incumbent is not resident, by the Curate of such Parish or District, or by any Person authorized by them respectively:

(2) To any Congregation or Assembly for Religious Worship meeting in a private Dwelling House or on the Premises belonging thereto:

(3) To any Congregation or Assembly for Religious Worship meeting occasionally in any Building or Buildings not usually appropriated to Purposes of Religious Worship:

And no Person permitting any such Congregation to meet as herein mentioned in any Place occupied by him shall be liable to any Penalty for so doing.

Added by the Lords.

CLAUSE B. So much of an Act passed in the Second and Third Years of King William the Fourth, Chapter One hundred and fifteen, as enacts that Her Majesty's Subjects professing the Roman Catholic Religion, in respect to their Places for Religious Worship, shall be subject to the same Laws as the Protestant Dissenters are subject to, and so much of an Act passed in the Ninth and Tenth Year of Her present Majesty, Chapter Fifty-nine, as enacts that Her Majesty's Subjects professing the Jewish Religion, in respect to their Places for Religious Worship, shall be subject to the same Laws as Protestant Dissenters are subject to, shall be respectively read as applicable to the Laws to which Protestant Dissenters in England are subject for the Time being after the passing of this Act.

Construction of certain Parts of 2 & 3 W. 4. c. 115. and 9 & 10 Vict. c. 59. as to Places of Worship of Roman Catholics and Jews.

Religious Worship.

A

BILL

[AS AMENDED BY THE LORDS]

INTITLED

An Act for securing the Liberty of Religious Worship.

*Ordered, by The House of Commons, to be Printed,
25 July 1855.*

[Bill 272.]

Under 1 oz.

15 June 1855. 18 VICt.



A

BILL

INTITULED

An Act to amend the Law respecting Roman Catholic Charities.

WHEREAS Doubts have been entertained whether the Pro- Preamble.
visions of the Act of the Second and Third Years of King 2 & 3 W. 4.
William the Fourth, Chapter One hundred and fifteen, c. 115.
“ for the better securing the Charitable Donations and Bequests of
5 “ His Majesty’s Subjects in Great Britain professing the Roman
“ Catholic Religion,” apply to Charities existing before the passing
of that Act : For removing such Doubts, be it enacted by the Queen’s
most Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present Par-
10 liament assembled, and by the Authority of the same, as follows :

I. With respect to all Schools, Places for Religious Worship, Recited Act
Education, and Charitable Purposes in Great Britain, and the Pro- to be con-
perty held therewith, and the Persons employed in or about the same, strued as if
the said Act, and all Deeds and Documents relating to such it had been
in force at
15 Foundations, shall be construed as if the said Act had been in force Time of
founding,
at the respective Times of founding or using such Schools, Places of &c. Schools,
Religious Worship, Education, or other Charitable Purposes, as afore- Charities,
&c.
said, except that Dispositions of Property made before the passing of
the said Act shall not be void or voidable on the Ground that the
20 Provisions of the Act of the Ninth Year of King George the Second,
[Bill 171.] Chapter

Chapter Thirty-six, "to restrain the Disposition of Lands whereby " the same become inalienable," have not been complied with, as required by the Fifth Section of the said Act of King William the Fourth, as contrary to Law.

Usage of the
last 25 Years
sufficient
Evidence of
Charitable
Purposes to
which Pro-
perty is
applied, &c.

II. In all Cases where at the Time of the passing of this Act any 5
Property in England shall have been held or applied for the Period
of Twenty-five Years upon or for any Charitable Purpose for the
Benefit of Persons professing the Roman Catholic Religion, which,
if duly declared in Writing, would have been valid under the Pro-
visions of the said Act of King William the Fourth or this Act, but 10
there shall be no written Document, or no sufficient written Docu-
ment, declaratory of the Trusts or Purposes for which such Property
is to be held or applied, then the Usage of the last Twenty-five
Years shall be deemed sufficient Evidence of the Nature of the
Charitable Purposes to which such Property is to be applied, and 15
the Mode of Application, and no Evidence shall be admissible of
the Usage prior to such Term of Twenty-five Years.

Proceedings
at Law or in
Equity had
or actually
commenced
not to be
affected.

III. Provided always, That nothing in this Act shall extend to give
Effect to any Trust or Disposition heretofore made, so far as the same
has before the passing of this Act been avoided by any Proceeding 20
at Law or in Equity, or to prejudice any Suit at Law or in Equity
actually commenced before the passing of this Act.

Roman Catholic Charities.

A

BILL

INTITULIED

An Act to amend the Law respecting
Roman Catholic Charities.

(*Brought from the Lords 14 June 1855.*)

Ordered, by The House of Commons, to be Printed,
15 June 1855.

[Bill 171.]
Under 1 oz.

27 July 1855. 18 & 19 VICT.



A

B I L L

TO

Repeal, alter, and amend the Act of the Seventeenth and Eighteenth Years of Her present Majesty for further regulating the Sale of Beer and other Liquors on the Lord's Day, and to substitute other Provisions in lieu thereof.

WHEREAS the Laws now in force against the Sale of fermented and distilled Liquors on the Lord's Day have been found to be attended with Inconvenience to the People: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That the Act of Parliament passed in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled
 10 " An Act for further regulating the Sale of Beer and other Liquors
 " on the Lord's Day," be and the same is hereby repealed.

17 & 18 Vict.
 c. 79. re-
 pealed.

II. It shall not be lawful for any Licensed Victualler, or Person licensed to sell Beer by Retail, to be drunk on the Premises, or not to
 [Bill 278.] be

Licensed
 Victuallers
 prohibited

from opening Houses for Sale of Beer, &c. during certain Hours of Sunday, &c. be drunk on the Premises, or any Person licensed or authorized to sell any fermented or distilled Liquors, or any Person who by reason of the Freedom of the Mystery or Craft of Vintners of the City of London, or of any Right or Privilege, shall claim to be entitled to sell Wine by Retail, to be drunk or consumed on the Premises, in any Part of England or Wales, to open or keep open his House for the Sale of or to sell Beer, Wine, Spirits, or any other fermented or distilled Liquor between the Hours of *Three* and *Five* o'Clock in the Afternoon, nor after *Eleven* o'Clock in the Afternoon on Sunday, or on Christmas Day, or Good Friday, or any Day appointed for a Public Fast or Thanksgiving, or before *Four* o'Clock in the Morning of the Day following such Sunday, Christmas Day, Good Friday, or such Days of Public Fast or Thanksgiving, except to a Traveller or Lodger therein.

Houses of public Resort prohibited being opened for Sale of Liquors on Sundays, &c.

III. No Person shall open any House or Place of public Resort for the Sale of fermented or distilled Liquors, or sell therein such Liquors, in any Part of England or Wales, between *Three* and *Five* o'Clock in the Afternoon or after *Eleven* o'Clock in the Afternoon on Sunday, or on Christmas Day or Good Friday, or any Day appointed for a Public Fast or Thanksgiving, or before *Four* o'Clock in the Morning of the Day following such Sundays, Christmas Day, Good Friday, or such other Days appointed as aforesaid, except to Travellers.

Power to Constables to enter Houses.

IV. It shall be lawful for any Constable at any Time to enter into any House or Place of public Resort for the Sale of Beer, Wine, Spirits, or other fermented or distilled Liquor or Liquors; and every Person who shall refuse to admit or shall not admit such Constable into such House or Place shall be deemed guilty of an Offence against this Act.

Penalty for Offences against this Act.

V. Every Person who shall offend against this Act shall be liable, upon a summary Conviction for the same before any Justice of the Peace for the County, Riding, Division, Liberty, City, Borough, or Place where the Offence shall be committed, to a Penalty not exceeding *Five Pounds* for every such Offence, and every separate Sale shall be deemed a separate Offence.

Appeals may be made to Quarter Session.

VI. Every Person who shall think himself or herself aggrieved by any Conviction of any Justice made under this Act may appeal against such Conviction to the General or Quarter Sessions of the Peace holden for the County, Riding, Division, Liberty, City, Borough, or Place wherein such Conviction shall have been made, in the Manner provided for Appeals to Quarter Sessions by the Twenty-seventh

seventh Section of the Act of Parliament passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled
“ An Act to regulate the granting of Licences to Keepers of Inns,
“ Alehouses, and Victualling Houses in England,” and all the
5 Enactments, Provisions, and Regulations relating to Appeals to the
Quarter Sessions in the said last-mentioned Act contained shall
extend to and regulate Appeals to be made under the Act.

Sale of Beer, &c.

A

B I L L

To repeal, alter, and amend the Act of the Seventeenth and Eighteenth Years of Her present Majesty, for further regulating the Sale of Beer and other Liquors on the Lord's Day, and to substitute other Provisions in lieu thereof.

(*Prepared and brought in by*
Mr. FitzRoy, Mr. Henry Berkeley, Sir William
Jolliffe, Mr. Cobbet, and Mr. Brady.)

Ordered, by The House of Commons, to be Printed,
27 July 1855.

[Bill 278.]

Under 1 oz.

4 July 1855. 18 & 19 VICT.



(Ireland.)

A

B I L L

TO

Amend an Act of the last Session of Parliament relating to the Sale of Spirits by unlicensed Persons and illicit Distillation in Ireland; and also to repeal so much of an Act of the Third and Fourth Years of His late Majesty as requires Persons applying for Licences for the Sale of Beer, Cider, or Spirits by Retail in Ireland to enter into a Bond with Sureties.

WHEREAS an Act was passed in the last Session of Par- Preamble.
liament, Chapter Eighty-nine, to amend the Laws for the 17 & 18 Vict.
better Prevention of the Sale of Spirits by unlicensed c. 89.

Persons and for the Suppression of illicit Distillation in Ireland, and
5 it is expedient to amend the said Act as herein-after mentioned: Be
it enacted by the Queen's most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and Com-
mons, in this present Parliament assembled, and by the Authority of
the same, as follows:

10 I. So much of the Second and Fourth Sections of the said Act Parts of
as directs that any Seizure made under the Provisions of the said 2d and 4th
[Bill 223.] Sections Sections of

said Act as
to Seizures
repealed.

Sections respectively shall be delivered to some Revenue Officer, shall be and the same is hereby repealed.

Disposal of
Seizures
made under
the said
Sections.

II. On the Conviction of any Person in relation to whose Offence any Seizure shall have been made under the Provisions of the said Sections respectively, such Seizure shall be absolutely forfeited; or if 5 any such Seizure as aforesaid shall not within *Fourteen* Days after the making thereof be claimed, by Application in Writing to the Inspector or Superintendent of Police, or to the County Inspector or Sub-Inspector, by whom or within whose Jurisdiction such Seizure shall have been made, then, although no Conviction shall have taken place, 10 such Seizure shall be absolutely forfeited: Provided always, that if any such Claim shall be made in the Manner and within the Time herein directed and limited in that Behalf, and no such Conviction as aforesaid shall have been or shall be made, then such Seizure shall be proceeded upon to Condemnation by Information before any Justice or 15 Justices of the Peace, in like Manner as in the Case of a Seizure made under the Provisions of any Act relating to Duties of Excise; and all such Seizures which shall be absolutely forfeited or condemned on Information, as herein provided, may either be destroyed, or be disposed of and the Proceeds thereof applied in such Manner as the Inspector General of the Constabulary Force in Ireland, or the Commissioners 20 of the Metropolitan Police, in whose Jurisdiction respectively such Seizure shall have been made, shall think fit to direct in that Behalf.

Inspector
General of
Constabu-
lary to
possess the
same Powers
for ordering
Informa-
tions, &c. in
certain Cases
as are pos-
sessed by
Commis-
sioners of
Inland
Revenue.

III. In all Cases in which it shall be necessary to take Proceedings for the Condemnation of any Seizure, or the Prosecution of any Offender, by any Officer of Constabulary, under the Provisions of the said Act 25 and of an Act therein mentioned, of the First and Second Years of the Reign of His late Majesty King William the Fourth, respectively, the said Inspector General of Constabulary shall have, use, and exercise the same Powers and Privileges for ordering and staying such Proceedings, and for mitigating the Penalties incurred by such Offender, 30 and for ordering such Offender to be discharged from Prison, as may lawfully be used or exercised by the Commissioners of Inland Revenue with respect to any Seizures, Detentions, or Prosecutions respectively made or had under any Act relating to Duties of Excise; and all such Proceedings instituted by or under the Order of the said 35 Inspector General shall be taken in the Name of some Officer of the said Constabulary Force, and such Officer, and all other Officers of the said Force who may be concerned in such Proceedings, shall have, use, and exercise all the Powers and Privileges which appertain to Officers of Excise in regard to Proceedings taken and conducted by them 40 under the Order or Direction of the Commissioners of Inland Revenue; and all Clauses, Provisions, Rules, and Regulations contained in any Act

Act or Acts relating to any Proceedings commenced or carried on by or under the Order or Direction of the said last-mentioned Commissioners, with respect to any Information or Complaint exhibited for Recovery of any Penalty or Forfeiture, or with respect to any Allega-
5 tion or Averment therein contained, or the Proof thereof, or any Matter of Evidence in relation thereto, shall be deemed to extend and be in force, and shall be observed and applied, *mutatis mutandis*, with respect to all Proceedings by this Act authorized to be instituted or carried on by or under the Order or Direction of the said Inspector
10 General.

IV. All Penalties recovered by Officers of the Constabulary by virtue of the Powers conferred by the Thirteenth Section of the said Act of the last Session of Parliament, as well as all Penalties recovered in Cases of immediate Arrest for any Offence committed against the
15 said Act of the First and Second Years of His late Majesty, shall be paid into the Hands of the Sub-Inspector of Constabulary, or other Person appointed for the Purpose by the said Inspector General, and by him handed over to the nearest Collector of Inland Revenue, for the Use of Her Majesty, after deducting and paying thereout all
20 reasonable Expenses.

V. And whereas by Section Seven of an Act passed in the Session of Parliament holden in the Third and Fourth Years of His said late Majesty's Reign, Chapter Sixty-eight, Persons applying for any Licence for the Sale of Beer, Cider, or Spirits by Retail in Ireland
25 are required to enter into a Bond, with Sureties, conditioned as in such Section is mentioned, and it is expedient to relieve such Applicants from the Burden of entering into such Bond and providing such Sureties : Be it enacted, That the said Section Seven of the said last-mentioned Act shall be and the same is hereby repealed.

Penalties recovered by Constabulary in certain Cases to be paid to Collector of Inland Revenue.

Section 7 of 3 & 4 W. 4. c. 68., requiring Bonds to be given by Applicants for Licences in Ireland, repealed.

Sale of Spirits.

(Ireland.)

A

BILL

To amend an Act of the last Session of Parliament relating to the Sale of Spirits by unlicensed Persons and illicit Distillation in Ireland; and also to repeal so much of an Act of the Third and Fourth Years of His late Majesty as requires Persons applying for Licences for the Sale of Beer, Cider, or Spirits by Retail in Ireland to enter into a Bond with Sureties.

(Prepared and brought in by
Mr. Wilson and the Chancellor of the
Exchequer.)

*Ordered, by the House of Commons, to be Printed,
4 July 1855.*

[Bill 228.]

Under 1 oz.

7 August 1855. 18 & 19 VICT.



(Ireland.)

A

B I L L

[AS AMENDED BY THE LORDS]

INTITULED

An Act to amend an Act of the last Session of Parliament relating to the Sale of Spirits by unlicensed Persons and illicit Distillation in Ireland; and also to repeal so much of an Act of the Third and Fourth Years of His late Majesty as requires Persons applying for Licences for the Sale of Beer, Cider, or Spirits by Retail in Ireland to enter into a Bond with Sureties.

[Note.—*The Words printed in Italics were inserted, and the Words struck through were omitted, by the Lords.*]

WHEREAS an Act was passed in the last Session of Par- Preamble.
liament, Chapter Eighty-nine, to amend the Laws for the 17 & 18 Vict.
better Prevention of the Sale of Spirits by unlicensed c. 89.
Persons and for the Suppression of illicit Distillation in Ireland, and
5 it is expedient to amend the said Act as herein-after mentioned: Be
it enacted by the Queen's most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and Com-
mons, in this present Parliament assembled, and by the Authority of
the same, as follows:
10 I. So much of the Second and Fourth Sections of the said Act as directs that any *Seizure Goods seized* made under the Provisions of
[Bill 295.] So much of Sections 2 and 4 of re-

cited Act as to Seizures, repealed.

of the said Sections respectively shall be delivered to some Revenue Officer, shall be and the same is hereby repealed.

Disposal of Seizures made under the said Sections.

II. On the Conviction of any Person in relation to whose Offence any ~~Seizure~~ *Goods* shall have been ~~made seized~~ under the Provisions of the said Sections respectively, such ~~Seizure~~ *Goods* shall be absolutely 5 forfeited; or if any such ~~Seizure~~ *Goods* as aforesaid shall not within Fourteen Days after the making thereof be claimed, by Application in Writing to the Inspector or Superintendent of Police, or to the County Inspector or Sub-Inspector, by whom or within whose District such ~~Seizure~~ *Goods* shall have been ~~made seized~~, then, although 10 no Conviction shall have taken place, such ~~Seizure~~ *Goods* shall be absolutely forfeited: Provided always, that if any such Claim shall be made in the Manner and within the Time herein directed and limited in that Behalf, and no such Conviction as aforesaid shall have been or shall be made, then such ~~Seizure~~ *Goods so seized* shall be proceeded 15 upon to Condemnation by Information before any Justice or Justices of the Peace, in like Manner as in the Case of a ~~Seizure-made~~ *Goods seized* under the Provisions of any Act relating to Duties of Excise; and all such ~~Seizures~~ *Goods seized* which shall be absolutely forfeited or condemned on Information, as herein provided, may either be 20 destroyed, or be disposed of and the Proceeds thereof applied in such Manner as the ~~Inspector General of the Constabulary Force in Ireland, or the Commissioners of the Metropolitan Police, in whose Jurisdiction respectively such Seizure shall have been made,~~ *Commissioners of Inland Revenue* shall think fit to direct in that Behalf. 25

Inspector General of Constabulary to possess the same Powers for ordering Informations, &c. in certain Cases as are possessed by Commissioners of Inland Revenue.

III. ~~In all Cases in which it shall be necessary to take Proceedings for the Condemnation of any Seizure, or the Prosecution of any Offender, by any Officer of Constabulary, under the Provisions of the said Act and of an Act therein mentioned, of the First and Second Years of the Reign of His late Majesty King William the Fourth, respectively, the said Inspector General of Constabulary shall have, use, and exercise the same Powers and Privileges for ordering and staying such Proceedings, and for mitigating the Penalties incurred by such Offender, and for ordering such Offender to be discharged from Prison, as may lawfully be used or exercised by the Commissioners of Inland Revenue with respect to any Seizures, Detentions, or Prosecutions respectively made or had under any Act relating to Duties of Excise; and all such Proceedings instituted by or under the Order of the said Inspector General shall be taken in the Name of some Officer of the said Constabulary Force, and such Officer, and all other Officers of the said Force who may be concerned in such Proceedings, shall have, use, and 30 exercise all the Powers and Privileges which appertain to Officers of Excise in regard to Proceedings taken and conducted by them under the Order or Direction of the Commissioners of Inland Revenue; and all Clauses, Provisions, 35 40~~

~~sions, Rules, and Regulations contained in any Act or Acts relating to any Proceedings commenced or carried on by or under the Order or Direction of the said last mentioned Commissioners, with respect to any Information or Complaint exhibited for Recovery of any Penalty or Forfeiture, or with~~
5 ~~respect to any Allegation or Averment therein contained, or the Proof thereof, or any Matter of Evidence in relation thereto, shall be deemed to extend and be in force, and shall be observed and applied, mutatis mutandis, with respect to all Proceedings by this Act authorized to be instituted or carried on by or under the Order or Direction of the said Inspector General.~~

10 IV. All Penalties recovered by Officers of the Constabulary by virtue of the Powers conferred by the Thirteenth Section of the said Act of the last Session of Parliament, as well as all Penalties recovered in Cases of immediate Arrest for any Offence committed against the said Act of the First and Second Years of His late Majesty, shall
15 be paid into the Hands of the Sub-Inspector of Constabulary, or other Person appointed for the Purpose by the said Inspector General *of the Constabulary Force in Ireland*, and by him handed over to the nearest Collector of Inland Revenue, for the Use of Her Majesty, after deducting and paying thereout all reasonable Expenses.

Penalties recovered by Constabulary in certain Cases to be paid to Collector of Inland Revenue.

20 V. And whereas by Section Seven of an Act passed in the Session of Parliament holden in the Third and Fourth Years of His said late Majesty's Reign, Chapter Sixty-eight, Persons applying for any Licence for the Sale of Beer, Cider, or Spirits by Retail in Ireland are required to enter into a Bond, with Sureties, conditioned as in
25 such Section is mentioned, and it is expedient to relieve such Applicants from the Burden of entering into such Bond and providing such Sureties : Be it enacted, That the said Section Seven of the said last-mentioned Act shall be and the same is hereby repealed.

Section 7 of 3 & 4 W. 4. c. 68., requiring Bonds to be given by Applicants for Licences in Ireland, repealed.

Sale of Spirits (Ireland).

A

B I L L

[AS AMENDED BY THE LORDS]

INTITULED

An Act to amend an Act of the last Session of Parliament relating to the Sale of Spirits by unlicensed Persons and illicit Distillation in Ireland; and also to repeal so much of an Act of the Third and Fourth Years of His late Majesty as requires Persons applying for Licences for the Sale of Beer, Cider, or Spirits by Retail in Ireland to enter into a Bond with Sureties.

*Ordered, by The House of Commons, to be Printed,
7 August 1855.*

[Bill 295.]

Under 1 oz.

2 *Savings Banks and Friendly Societies Investments.*

eight hundred and seventeen and the Twentieth Day of November One thousand eight hundred and fifty-four, the Sum of Twenty-five millions five hundred and seventeen thousand one hundred and twenty-three Pounds Thirteen Shillings and Seven Pence for Interest on the Amounts deposited from Time to Time with the said Commissioners, 5 and to Friendly Societies the Sum of One million three hundred and eighty-four thousand two hundred and thirty-two Pounds Eight Shillings and Fivepence: And whereas during the said Period the Dividends and Interest accrued to the said Commissioners on the Investments made by them under the Provisions of the said Statutes have 10 amounted for Savings Banks to the Sum of Twenty-three millions five thousand four hundred and thirty-six Pounds Seven Shillings and Twopence, and for Friendly Societies the Sum of One million sixty-four thousand eight hundred and fourteen Pounds Eleven Shillings and Twopence: And whereas it is expedient that Provision 15 should be made for satisfying the Excess of Interest so paid and credited: And whereas it is expedient to make other Provisions for better regulating the Mode in which the Monies received or to be received by the Commissioners for the Reduction of the National Debt from Savings Banks and Friendly Societies shall henceforth be secured and 20 invested, so as to provide a Fund which shall at all Times and without fail be sufficient to satisfy all the lawful Claims of Savings Banks and Friendly Societies: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present 25 Parliament assembled, as follows; that is to say,

Stock to be
cancelled.

I. The Commissioners of Her Majesty's Treasury shall, immediately after the passing this Act, by Warrants under their Hands, direct the Governor and Company of the Bank of England and the Governor 30 and Company of the Bank of Ireland respectively to cancel out of the total Amounts of the several Capital Stocks of Annuities now standing at the Accounts of the Commissioners for the Reduction of the National Debt for Savings Banks and Friendly Societies respectively such Sums of Annuities, to be particularly specified in such Warrants, 35 as shall together amount to the Sums mentioned in Schedule B. to this Act annexed, and thereupon such Capital Stocks of Annuities shall be absolutely cancelled and determined, and all Interest or Dividends thereon shall thenceforth cease to be payable or paid to any Person or Persons whomsoever. 40

State Depos-
it to be
created
charged on
Consolidated
Fund.

II. In place of the said Capital Stocks of Annuities so cancelled, the said Commissioners of the Treasury shall, by Warrant under their Hands, order and direct the Comptroller General of the Exchequer to record in the Exchequer, in a Book to be kept in such Form as to the said

said Commissioners shall seem fitting, for Savings Banks and Friendly Societies, an Account, to be called : "The State Deposit Account, Number One," and there shall be placed at the Credit of such Account the Sum of *Twenty-four million Pounds*, being Two Third Parts or
5 thereabouts of the Amount due and payable on the Twentieth of November One thousand eight hundred and fifty-four as aforesaid to Savings Banks and Friendly Societies, and the Amount of such State Deposit Account, as it shall stand from Time to Time under the Authority of this Act, shall be chargeable upon the Consolidated
10 Fund of the United Kingdom of Great Britain and Ireland; and the Amount of such State Deposit Account, and of all the Securities held by the said Commissioners as specifically set forth in Schedule A. not ordered to be cancelled in Schedule B., and all the Cash and other Securities whatsoever, which shall at any Time be in the Possession of
15 the Commissioners for the Reduction of the National Debt, under the Authority of this Act, shall be subject and liable to provide for the Discharge of the legal Claims of all Savings Banks and Friendly Societies.

III. The Interest payable to the Commissioners for the Reduction of the National Debt on the State Deposit Account, Number One,
20 shall be at the Rate of *Three Pounds* per Centum per Annum, payable in Four equal quarterly Payments on the *Twentieth Day of February, May, August, and November* in every Year; and such Interest shall be payable and paid out of the growing Produce of the Consolidated Fund; and the First Payment thereof shall be made
25 on the *Twentieth Day of May One thousand eight hundred and fifty-five*.

Interest on
State Depo-
sit Account.

IV. The Commissioners for the Reduction of the National Debt, after reserving thereout from Time to Time such Sums as they shall judge necessary to meet the Demands on account of Savings Banks and
30 Friendly Societies, shall, under such Regulations as the said Commissioners shall direct, invest the Interest payable to them on account of the State Deposit Account, and the Dividends and Interest on all Government Securities held by them for Savings Banks and Friendly Societies, and all Monies remitted to them on account of Savings
35 Banks and Friendly Societies, in the Purchase of Government Securities of whatsoever Kind issued, or which may hereafter be issued, under the Authority of any Act or Acts of Parliament: Provided always, that the said Commissioners may, if they shall deem it expedient so to do, sell any Part of the Government Securities held
40 by them under the Authority of this Act, and from Time to Time, as they shall see Cause, apply the whole or any Part of the Monies arising from such Sales either to satisfy the Demands of Savings Banks and Friendly Societies, or in the Purchase of other Govern-

Commission-
ers may sell
any Part of
the Secu-
rities.

4 *Savings Banks and Friendly Societies Investments.*

ment Securities as aforesaid: Provided always, that if the said Commissioners shall at any Time purchase any Exchequer Bills issued under the Authority of the Act Fifty-seventh George the Third, Chapter , or of any Act passed or hereafter to be passed for authorizing the Issue of Monies out of the Consolidated Fund to 5 meet the Grants in Supply, it shall not be lawful for the Commissioners of Her Majesty's Treasury to authorize the Creation of any Capital Stock of Annuities on the cancelling of such Exchequer Bills, but such Exchequer Bills shall be held by the Commissioners for the Reduction of the National Debt to Redemption in the Manner 10 directed by the Acts under the Authority of which such Exchequer Bills shall have been issued: Provided also, that all Remittances from Savings Banks and Friendly Societies shall be made under such Regulations as the said Commissioners shall order.

Accounts to
be made up
annually to
20th Novem-
ber.

V. A Balance Sheet shall be prepared by the Commissioners for the 15 Reduction of the National Debt, immediately after the *Twentieth Day of November* in every Year, in which shall be set forth the Assets and Liabilities of the said Commissioners in respect of Savings Banks, and also in respect of Friendly Societies, to the Credit of which shall be placed the Amount of the State Deposit Account, Number One, 20 and of all Monies and Securities, of whatsoever Kind, held by the said Commissioners on account of Savings Banks and Friendly Societies on the said *Twentieth Day of November* valuing such Securities respectively at the Price which Securities of like Kind shall bear on that Day in the public Market, and to the Debit of which Account 25 shall be carried the total Amount due by the said Commissioners to Savings Banks and Friendly Societies, and to the Trustees and Managers of Savings Banks for Management, under any Act which may be passed for that Purpose.

Deficiency to
be made
good.

VI. If it shall appear upon such Balance Sheet that the Amount 30 at the Credit of the said Accounts is insufficient to meet the Liabilities, and the Commissioners of Her Majesty's Treasury shall be satisfied thereof, the said Commissioners shall, by Warrant under their Hands, order and direct the Comptroller General of Her Majesty's Exchequer to increase the Amount of the State Deposit Account, Num- 35 ber One, or to issue such Sum out of the Consolidated Fund, or out of the growing Produce thereof, or to make out and prepare such an Amount of Exchequer Bills or Exchequer Bonds as may be required for that Purpose, or, if they think fit, the said Commissioners shall provide for such Deficiency by all or any of the Means herein-before 40 mentioned, and such Exchequer Bills and Exchequer Bonds, with Coupons, or otherwise as shall be ordered in such Warrant as aforesaid, shall be prepared in such Manner and Form, and shall be for such Principal Sum or Sums, and be payable at such Times as shall be directed

directed by the said Commissioners of Her Majesty's Treasury, who shall in like Manner be authorized, if they see fit, to direct from Time or Time the Preparation and Issue of other Exchequer Bills or Exchequer Bonds to be applied in exchange for such Exchequer
5 Bills or Exchequer Bonds so issued as aforesaid; and all Exchequer Bills and Exchequer Bonds issued under the Authority of this Act shall bear such Dates and be at such Rates of Interest as the said Commissioners of the Treasury, having regard to the then current Value of other like Securities, shall from Time to Time
10 direct; and the Principal Monies contained in such Exchequer Bills and Exchequer Bonds shall, together with the Interest thereon, be chargeable and charged upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland; and such Exchequer Bills and Exchequer Bonds shall be delivered by the Comptroller General
15 of the Exchequer to the Comptroller General acting under the Commissioners for the Reduction of the National Debt, at such Times and in such Amounts as shall be ordered and directed by any Warrant issued in that respect by the said Commissioners of Her Majesty's Treasury; and such Exchequer Bills and Exchequer Bonds shall be subject to
20 such Directions for the Sale or other Appropriation thereof as shall be ordered by the said Commissioners for the Reduction of the National Debt, and the said Commissioners shall hold the same and the Proceeds thereof in like Manner as all other Securities under this Act, and be chargeable with the Amount thereof in their Accounts before the Com-
25 missioners for auditing the Public Accounts: Provided always, that the said Issues shall be so regulated that the Amount of the State Deposit Account shall not be less than Two Thirds of the Liabilities.

VII. If it shall appear by the said Balance Sheet that the Assets of the said Commissioners are more than sufficient to meet the Liabilities, an
30 equivalent Amount of the State Deposit Account, Number One, or of such of the Securities held by the said Commissioners as the Commissioners of Her Majesty's Treasury shall deem expedient and proper, shall be cancelled, and the Commissioners of Her Majesty's Treasury shall thereupon, by Warrant under their Hands, issue such Orders and
35 Directions to the Comptroller General of the Exchequer or the Commissioners for the Reduction of the National Debt, as the Case may be, as may be necessary for reducing the Amount of such State Deposit Account, or for the cancelling of such Securities, and such State Deposit Account shall be reduced or such Securities can-
40 celled as shall be so directed in such Warrant, and the Commissioners for the Reduction of the National Debt shall thenceforth be relieved from all Account in respect of such Securities so cancelled as aforesaid: Provided always, that the State Deposit Amount shall not thereby be reduced to an Amount less than Two Thirds of the Liabilities.

Surplus
Assets to be
cancelled.

Treasury
may issue, on
Application
of Commis-
sioners.

VIII. The Commissioners of Her Majesty's Treasury at any Time during any Year ending on the Twentieth Day of November, on Application from the Commissioners for the Reduction of the National Debt, under the Hand of the Comptroller General acting under them, stating and certifying what Sum of Money may be required for 5 satisfying any Demands which shall from Time to Time be made upon the said Commissioners for the Reduction of the National Debt, on account of Savings Banks or Friendly Societies, may, in case they shall think fit and proper so to do, by Warrant under their Hands, order and direct the Comptroller General of the Exchequer to issue 10 out of the growing Produce of the Consolidated Fund, or, if they think fit, to prepare and deliver to the said Commissioners, in the Manner enacted in Section VI. of this Act, such an Amount of Exchequer Bills or Exchequer Bonds as they shall think proper, not exceeding in the whole such Sum or of Sums Money as shall from 15 Time to Time be certified in any such Application from the said Commissioners, and the Amount so ordered to be paid over to the said Commissioners shall be written off from the State Deposit Account for Savings Banks and Friendly Societies.

Treasury to
regulate
Mode of
keeping Ac-
counts in the
Bank.

IX. The Commissioners of Her Majesty's Treasury shall from 20 Time to Time give such Directions as they may think fit for regulating the Mode in which the Accounts of the Commissioners for the Reduction of the National Debt, raised under any of the Acts relating to Savings Banks and Friendly Societies, or to be raised under this Act, shall be kept by the Governor and Company of the Bank of 25 England and Bank of Ireland, as the Case may be.

Bank of
England may
advance on
Credit of
Exchequer
Bills, &c.

X. The Governor and Company of the Banks of England and Ireland respectively may from Time to Time advance to the Commis- sioners for the Reduction of the National Debt such Sum or Sums of Money, on the Credit of any Exchequer Bills or Exchequer Bonds 30 issued to or purchased by said Commissioners, under the Provisions of this Act, as shall be agreed upon by the said Commissioners and the said Governor and Company of the Banks of England and Ireland respectively, any Law or Statute to the contrary in anywise notwithstanding. 35

Accounts to
be laid before
Parliament.

XI. There shall be laid before both Houses of Parliament, not later than the *Thirty-first Day of March* in every Year, Copies of the annual Account to the *Twentieth Day of November* herein-before mentioned, together with a Statement of the several Proceedings taken thereon.

Commence-
ment of Act.

XII. This Act shall commence and take effect on and from 40

SCHEDULES to which this Act refers.

SCHEDULE A.

SCHEDULE of the several GOVERNMENT SECURITIES and FUNDS held on 20th November, 1854, by the Commissioners for the Reduction of the National Debt as Securities to meet the Claims of Savings Banks and Friendly Societies.

Consolidated 3 per Centum Annuities:—	£	s.	d.
For Savings Banks	9,866,884	7	1
For Friendly Societies	218,950	0	0
	£10,085,834	7	1

Reduced Three per Centum Annuities:—			
For Savings Banks	3,249,074	6	3
For Friendly Societies	306,600	0	0
	£3,555,674	6	3

New Three per Centum Annuities:—			
For Savings Banks	17,938,710	1	5
For Friendly Societies	1,397,100	0	0
	£19,335,810	1	5

New Two Pounds Ten Shillings per Centum Annuities:—			
For Savings Banks	31,900	0	0

Exchequer Bonds issued under the Act:—			
For Savings Banks	£1,600,000	0	0

Exchequer Bills:—			
For Savings Banks	£58,000	0	0

Cash at the Account of the Commissioners in the Banks of England and Ireland:—			
For Savings Banks	156,738	17	1
For Friendly Societies	13,919	6	2
	£170,658	13	3

SCHEDULE B.

AMOUNTS of SECURITIES held on 20th November, 1854, by the Commissioners for Reduction of the National Debt to meet the Demands of Savings Banks and Friendly Societies, to be cancelled under the Directions of this Act.

	£	s.	d.
Out of the Total Capital Sum of 10,085,834 <i>l.</i> 7 <i>s.</i> 1 <i>d.</i>			
Three per Centum Consolidated Annuities, the Capital Sum of	-	-	-
	2,845,834	7	1
The Total Capital Sum of Reduced Three per Centum Annuities	-	-	-
	3,555,674	6	2
Out of the Total Capital Sum of 19,335,310 <i>l.</i> 1 <i>s.</i> 5 <i>d.</i>			
New Three per Centum Annuities, the Total Capital Sum of	-	-	-
	15,355,340	1	5
Total Capital Amount of Three per Centum per Annum Annuities to be cancelled, being	£21,736,824	14	8

Savings Banks and Friendly Societies Investments.

A

BILL

To make further Provision for the Investment and Security of the Monies received by the Commissioners for the Reduction of the National Debt from Savings Banks and Friendly Societies.

(Prepared and brought in by
Mr. Bouverie, Mr. Chancellor of the Exchequer,
and Mr. Wilson.)

Ordered, by The House of Commons, to be Printed,
22 December 1854.

[Bill 11.]

Under 1 oz.

20 July 1855. 18 & 19 VICT.



A

B I L L

INTITULED

An Act to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education.

WHEREAS it is expedient that greater Security should be afforded for the due Application of Money advanced in certain Cases to the Trustees or Managers of Schools by the Lords Commissioners of the Treasury out of the Parliamentary Grant for the Promotion of Education in Great Britain: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: Where any Grant hath been made or shall hereafter be made out of any Sums of Money heretofore granted or hereafter to be granted by Parliament for the Purposes of Education in Great Britain, under the Advice of any Committee of the Council on Education for the Time being, to the Trustees, Managers, or other Persons applying on behalf of any School, with the Consent of the Trustees or Persons holding the legal Estate thereof, for or towards the Purchase of the Site or the Erection, Enlargement, or Repair of the School, or the Residence of the Master or Mistress, or the furnishing such School or Residence, no

Preamble.

Sale, &c. of Premises in respect of which Grant of Money has been made not to be valid without Consent of Secretary of State, &c.

[Bill 260.]

Sale,

Sale, Exchange, or Mortgage of the Premises in respect of which such Grant hath been or may hereafter be made in exercise of any Power contained in the Conveyance or other Deed relating thereto, or under any other legal Authority, shall be valid unless either the Consent of the Secretary of State for the Home Department for the 5 Time being, in Writing, under his Hand, be given to the same, or the Amount of the Grant which shall have been made as aforesaid shall be repaid to the Lords Commissioners of the Treasury for the Time being; and whenever any Grant as aforesaid shall be hereafter made, a Memorandum, to be signed by One of the Lords Commis- 10 sioners of the Treasury for the Time being, shall be endorsed upon some One of the Title Deeds relating to the School, certifying to the Fact of the Grant having been made upon such Application, and for some such Purpose as aforesaid, and referring to this Act; and in any Case in which any Grant as aforesaid shall have been already 15 made, so soon as such Memorandum shall have been endorsed and signed on any such Deed, all Bonds, Covenants, or other personal Obligations heretofore given or entered into to prevent the Exercise of any such Power of Sale, Exchange, or Mortgage without such Consent as aforesaid, shall, so far as they relate to such Exercise, but 20 no further, be annulled.

Purchasers
not to be
affected
without
Notice.

II. Nothing herein contained shall affect any Purchaser for a valuable Consideration without Notice.

School Grants, Security for Application.

A

B I L L

INTRODUCED

An Act to render more secure the Conditions upon which Money is advanced out of the Parliamentary Grant for the Purposes of Education.

(*Brought from the Lords 19 July 1855.*)

*Ordered, by The House of Commons, to be Printed,
20 July 1855.*

[Bill 260.]

Under 1 oz.

Schools (Scotland) Bill.

ARRANGEMENT OF CLAUSES.

- Interpretation of Terms; Sect. 1.
- Maximum and Minimum of Salaries of Schoolmasters; 2.
- Salaries of existing Schoolmasters to be fixed within Two Months after the passing of this Act; 3.
- Salaries of future Schoolmasters to be fixed within Six Weeks after Vacancy, &c.; 4.
- Salaries fixed under this Act not to be diminished; 5.
- Salaries may be increased; 6.
- Appeal to Quarter Sessions in case of Failure to fix Salary, or being dissatisfied at the Amount of such Salary; 7.
- For the Appointment of additional Schools in populous Parishes; 8.
- No more than 75*l.* in the whole to be paid in Salaries in any One Parish; 9.
- Schoolmaster may be allowed to resign on account of Infirmary or old Age; 10.
- Amount of retiring Allowances; 11.
- Appeal to the Quarter Sessions, when Offer of Resignation on account of old Age or Infirmary is refused; 12.
- Resolutions of Meetings to be entered in the Heritors Books, and Copies furnished; 13.
- Meetings how to be called; 14.
- Where only One Heritor, to have Two Votes; Preses; 15.
- The Lord Advocate may authorize Proceedings by Procurator Fiscal for removing Schoolmasters; 16.
- Sheriff may, on Petition proceeding upon Authority of the Lord Advocate, remove or dismiss or suspend Schoolmaster; 17.
- If Sentence of Deprivation pronounced, School to be declared vacant; 18.
- If Sentence of Suspension pronounced, Salary to be applied in paying a Substitute; 19.
- Heritors to provide Schoolhouses for Schoolmasters, and every Schoolmaster to have Dwelling House and Garden; or additional Salary in lieu thereof; 20.
- In case of Neglect or Refusal of Heritors, or of Dissatisfaction of Schoolmaster, he may appeal to Quarter Sessions; 21.
- Saving former Acts; 22.

8 February 1855. 18 VICT.



(Scotland.)

A

B I L L

TO

Amend the Law relating to Parish Schools in
Scotland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

WHEREAS an Act was passed in the Parliament of Scotland
on the Ninth Day of October in the Year One thousand
six hundred and ninety-six, intituled “An Act for settling
“of Schools:” And whereas another Act was passed in the Forty-
5 third Year of the Reign of His Majesty King George the Third,
intituled “An Act for making better Provision for the Parochial
“Schoolmasters and for making further Regulations for the better
“Government of the Parish Schools in Scotland;” And whereas
another Act was passed in the First and Second Years of the Reign
10 of Her present Majesty, intituled “An Act to facilitate the Founda-
“tion and Endowment of additional Schools in Scotland;” And
whereas another Act was passed in the Eighth and Ninth Years of
the Reign of Her present Majesty, intituled “An Act for amending
“an Act for making Provision for Parish Schoolmasters in Scot-
“land:” And whereas the Provision for Schoolmasters in Scotland
15 under the said Acts is insufficient, and it is expedient that other
Provision should be made in lieu thereof, and that additional
Facilities should be given for the Retirement or Removal from Office
of Schoolmasters, and for the Foundation and Endowment of
[Bill 22.] A 2 additional

Preamble.

Act of Par-
liament of
Scotland
dated 9th
Oct. 1696.
43 G. 3. c. 54.

1 & 2 Vict.
c. 87.

8 & 9 Vict.
c. 40.

additional Schools: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Interpreta-
tion of
Terms.

I. In construing this Act, where there is nothing in the Context 5 repugnant to such Construction, the following Words and Expressions shall be construed as follows; (that is to say,) the Word "Parish" shall mean any Parish in Scotland; the Expression "Parochial Schoolmaster" shall mean a Schoolmaster inducted or elected to the Parish School of any such Parish; the Expression "District 10 Schoolmaster" shall mean the Schoolmaster of any School (other than the Parochial School) established and endowed in any Parish by virtue of the said recited Act of the Forty-third Year of King George the Third, or this Act; the Expression "Schoolmaster" shall include 15 both Parochial Schoolmasters and District Schoolmasters; the Word "Heritor" or "Heritors" shall mean a Person or Persons possessed of the Qualification prescribed by the said recited Act of the Forty-third Year of the Reign of King George the Third.

Maximum
and Mini-
mum of
Salaries
of School-
masters.

II. From and after the Term of Martinmas next after *the passing of this Act*, the Salaries of Schoolmasters shall be as follows; that is 20 to say, the Salary of every Parochial Schoolmaster who at the Date of the passing of this Act has ceased personally to discharge the Duties of his Office shall, so long as he holds such Office, be not less than the Salary payable to such Schoolmaster at the Date of the pass- 25 ing of this Act under any prior Act or Acts of Parliament then in force, nor more than *Fifty Pounds*, the Salary of every other Parochial Schoolmaster for whom Provision is not otherwise made in this Act shall not be less than the Sum of *Thirty-five Pounds* per Annum nor more than the Sum of *Fifty Pounds* per Annum, and 30 the Salary of every District Schoolmaster shall not be less than the Sum of *Twenty Pounds* nor more than the Sum of *Thirty-five Pounds* per Annum, as such Salaries respectively shall be fixed and determined in manner after mentioned.

Salaries of
existing
Schoolmas-
ters to be
fixed within
Two Months
after the
passing of
this Act.

III. Within *Two Months* after the passing of this Act, the Heritors of every Parish, together with the Minister of the Parish, shall hold 35 a Meeting of which Intimation shall be given as herein-after provided, for the Purpose of fixing and determining the Amount of the Salary to be paid to the Person then holding the Office of Schoolmaster; and such Meeting shall, on due Consideration of the Circumstances of the particular Parish, or Portion or District of a 40 Parish, in respect of Extent, Population, and Rental, or otherwise, fix and determine, within the Limits prescribed by this Act, the Amount of such Salary.

IV. When-

IV. Whenever a Vacancy shall take place in the Office of Schoolmaster of any Parish, or Portion or District of a Parish, or Resolution be adopted to establish an additional School under the Authority of the said second-recited Act or of this Act then, within *Six* 5 Weeks after such Vacancy shall take place or Resolution be adopted, as the Case may be, a Meeting of the Heritors and Minister of the Parish shall be held for the Purpose of fixing and determining the Amount of the Salary to be paid to the Schoolmaster of such Parish or additional School; and such Meeting shall, on due Con- 10 sideration of the Circumstances of the particular Parish or Portion or District of a Parish, in respect of Extent, Population, and Rental, or otherwise, fix and determine the Amount of Salary to be paid to such Schoolmaster, not being less nor more than the said several Sums herein limited respectively.

Salaries of future Schoolmasters to be fixed within Six Weeks after Vacancy, &c.

V. The Amount of any Salary fixed and determined to be paid to any Schoolmaster at any Meeting under the Provisions of this Act shall not be diminished, so long as such Schoolmaster shall hold his Office. 15

Salaries fixed under this Act not to be diminished.

VI. If any Heritor of a Parish shall, at any Time after the Ex- 20 piration of *Five Years* from the passing of this Act, be of opinion that the Salary of a Schoolmaster then in Office in such Parish or Portion or District thereof should be increased beyond the Amount fixed and determined at any former Meeting, and shall, by a Writing under his Hand, intimate such his Opinion to the Minister of the 25 Parish, then, if no Alteration shall have been made or proposed to have been made in any such Salary, in accordance with the Provisions of this Act, for *Five Years* previously, a Meeting of the Heritors and of the Minister of the Parish shall be held, and such Meeting may fix and determine that an increased Amount 30 of Salary shall be paid to such Schoolmaster from a Date to be specified in the Resolution of such Meeting, such Salary in the whole not being more than the said several Sums herein limited respectively.

Salaries may be increased.

VII. In case the Heritors and Minister of the Parish shall neglect 35 or refuse to fix and determine the Amount of the Salary to be paid to any Schoolmaster within the Time and in the Manner appointed by this Act, and also in case any Heritor of the Parish or the Schoolmaster shall be dissatisfied with the Resolution adopted at any Meeting under this Act, fixing and determining the Amount of the 40 Salary of such Schoolmaster, such Heritor or Schoolmaster may, at any Time within *Three Months* after such Failure shall have occurred or Resolution shall have been adopted, as the Case may be, make

Appeal to Quarter Sessions in case of Failure to fix Salary, or being dissatisfied at the Amount of such Salary.

Application, by Petition, to the Quarter Sessions held for the Shire within which the School is situate, alleging such Failure or Dissatisfaction, as the Case may be, and thereupon the said Quarter Sessions, upon such Procedure or Proof and upon such Notice as they may think fit, shall fix and determine what shall be the Salary of 5 such Schoolmaster, not being less nor more than the said several Sums herein-before limited respectively; and the Rules, Orders, or Judgment of such Quarter Sessions in the Matter of such Petition shall be final, and not subject to Review or Suspension in any Court or by any Form whatever; and an Extract of the Judgment of such 10 Quarter Sessions, under the Hand of the Clerk of the said Quarter Sessions, shall at all Times have the like Force and Effect, for the Collection of the Salary fixed by such Judgment, as the Resolution of the Meeting of the Heritors and Minister of the Parish would have had if passed, and not made the Subject of Application to the said 15 Quarter Sessions by Petition: Provided always, that no Heritor of the Parish in respect of which any such Petition shall have been presented shall vote upon the Consideration of such Petition at such Quarter Sessions: Provided also, that it shall not be competent to any Schoolmaster to make any such Application in respect of any 20 Salary which shall have been fixed prior to the Date of his Appointment, or in respect of the Resolution of any Meeting for increasing the Amount of his Salary.

For the Appointment of additional Schools in populous Parishes.

VIII. Where a Parish consists of Portions detached from each other, or is of great Extent, or contains a large Population, so that 25 the School or Schools established therein under the Provisions of the Two first-recited Acts cannot be of effectual Benefit to the whole Inhabitants, it shall be competent to the Heritors of such Parish, if they shall see Cause, from Time to Time to establish One or more additional Schools in such Parish, and on the Establishment of any such 30 additional Schools the Schoolmaster thereof shall always be appointed in the Manner and subject to the Conditions provided in the said second and fourth recited Acts with reference to the Election of Schoolmasters in Cases of Vacancy, and the Schoolmasters of such additional Schools shall otherwise be subject to the Provisions of the 35 said Two first-recited Acts and this Act; and the Heritors of the Parish in which any such additional School shall be established shall be bound to provide a proper Schoolhouse for such School, which shall in all Time thereafter be maintained and kept in repair, or, if need be, rebuilt, by the Heritors of the whole Parish, in like Manner 40 as they are now liable to provide, maintain, or rebuild Parochial Schoolhouses: Provided always, that in the Case of those Parishes which consist of Districts detached from each other by the Sea or Arms of the Sea, or otherwise, in which heretofore, under the Provisions

visions of the said recited Act of the Forty-third Year of King George the Third, a Salary of the Amount therein specified has been divided among Two or more Teachers, the Heritors and Minister shall, in place of such Salary, fix a Salary of not less than *Fifty Pounds*, and shall divide the same among such Teachers in the same Proportion in which the Salary raised under the said recited Act is at present divided among them; and in case of the Proportion of such Salary allowed to the Teacher in any such District being less than *One Half* of the whole Salary, it shall be competent to the Heritors of such District, or if there is only One Heritor in the District to such Heritor, to fix and provide a Salary of not less than *Twenty Pounds* nor more than *Thirty-five Pounds* for the Schoolmaster in such District, to be laid and assessed on the District and paid in the same Manner as if such District had been a separate Parish, and the Schoolmaster of such District shall have Right to a free House and Garden of the Dimensions herein-after specified to be afforded to District Schoolmasters; and, such Salary being so fixed and provided, such District shall, in the Sense and for the Purposes of this Act, be held to be a separate Parish, and the Schoolmaster thereof shall be held to be a Parochial Schoolmaster, and shall discharge all the Duties and exercise all the Functions of Parochial Schoolmaster within such District, and shall be subject to the same Rules and Conditions in regard to Admission, Removal, and otherwise as any other Parochial Schoolmaster; and the Heritors or Heritor of the District shall not be liable, under any of the recited Acts or this Act, for any Part of the Salaries or Accommodations for Teachers or Schoolmasters in any other District or Portion of such original Parish.

IX. Provided always, That nothing in this Act contained shall authorize a larger Amount than the Sum of *Seventy-five Pounds* per Annum in the whole to be paid by the Heritors in Salaries to Schoolmasters in any One Parish.

No more than 75*l.* in the whole to be paid in Salaries in any One Parish.

X. If any Schoolmaster shall be desirous of resigning his Office, by reason of Infirmary or old Age, and shall intimate such his Desire by a Writing under his Hand to the Minister of the Parish, specifying the Grounds on which he so desires to resign his said Office, a Meeting of the Heritors and Minister of the Parish shall be held within *Six Weeks* after such Intimation shall have been received by the Minister, and such Meeting may accept of such Resignation, and may fix and determine the Amount of the retiring Allowance to be paid to such Schoolmaster, and the Period from which such Allowance shall be paid, or may refuse to accept of such Resignation.

Schoolmaster may be allowed to resign on account of Infirmary or old Age.

Amount of
retiring Al-
lowances.

XI. The Amount of any retiring Allowance under the Provisions of this Act shall, in the Case of a Parochial Schoolmaster, be not less than *Twenty-five Pounds* nor more than *Thirty-five Pounds* per Annum, and in the Case of a District Schoolmaster shall be not less than *Fifteen Pounds* nor more than *Twenty-five Pounds* per Annum; 5 and such retiring Allowances shall be paid by the Heritors of the Parish liable to pay the Salary of the Parochial Schoolmaster of the Parish for the Time being, rateably and in proportion to such Liability.

Appeal to
the Quarter
Sessions,
when Offer
of Resig-
nation on
account of
old Age or
Infirmity is
refused.

XII. If any Schoolmaster, desiring to resign his Office under the 10 Provisions of this Act on account of Infirmity or old Age, be dissatisfied with the Resolution of the Meeting adopted in the Matter, it shall be lawful for any such Schoolmaster, at any Time within *One Month* after the Date of any such Resolution, to apply by Petition to the Quarter Sessions of the County within which his Schoolhouse is 15 situate, and it shall be lawful for such Quarter Sessions, upon such Procedure or Proof and upon such Notice as such Quarter Sessions shall think fit, to confirm the Resolution complained of in such Petition, or otherwise to declare and pronounce the Acceptance of the Resignation of such Schoolmaster from a Date to be specified in 20 the Judgment of such Quarter Sessions, and to fix the Amount of the retiring Allowance to be paid to such Schoolmaster, or to increase the Amount of the retiring Allowance (as the Case may require), but so always that the retiring Allowance shall not be less nor more 25 than the said several Sums herein-before limited respectively; and the Rules, Orders, and Judgment of such Quarter Sessions in the Matter of such Petition shall be final, and not be subject to Review or Suspension in any Court or by any Form whatever; and an Extract of the Judgment of the Quarter Sessions, signed by their Clerk, shall have the like Force and Effect for collecting the retiring Allowance 30 of such Schoolmaster fixed by such Judgment as a Resolution of the Meeting of the Heritors and Minister would have had if such Resolution had fixed the Amount of such retiring Allowance, and had not been appealed against.

Resolutions
of Meetings
to be en-
tered in the
Heritors
Books, and
Copies fur-
nished.

XIII. The Resolution of any Meeting fixing and determining any 35 Salary or increased Salary, or agreeing to accept of the Resignation of any Schoolmaster on account of Infirmity or old Age, under the Provisions of this Act, shall be entered in Books to be kept by the Heritors of the Parish for such Purpose, and shall be signed by the Preses of such Meeting; and the Clerk to such Heritors shall, when required 40 by the Schoolmaster affected by such Resolution, deliver to such Schoolmaster a Copy of such Resolution certified by him, and such Copy or Judgment of the Sheriff or Quarter Sessions (as the Case may

may be) shall be the Authority for the Schoolmaster collecting and receiving the Salary or increased Salary fixed and determined under the Provisions of this Act, or retiring Allowance, (as the Case may be,) which shall respectively be paid by the Heritors of the Parish
 5 at the same Terms, and apportioned among them in the same Manner, and under the like Liabilities for Payment, and with the same Relief against their Tenants, as is provided by the said first and second recited Acts with reference to the Salaries to be paid to Parochial Schoolmasters.

10 XIV. All Meetings to be held for the Purposes of this Act shall consist of the Heritors of the Parish and of the Minister of the Parish, and shall be called by the Minister of the Parish by Inti- Meetings
 mation given from the Pulpit immediately after Divine Service in the how to be
 Forenoon, and by Circular Letters from the Minister of the Parish called.
 15 addressed to the Heritors respectively, and left at or transmitted through the Post to their usual Places of Abode, or given to them personally, at least *Twenty-one* clear Days before such Meeting shall take place; and any Heritor of the Parish may attend and vote at such Meeting either in Person or by Proxy, or by Letter under his
 20 Hand.

XV. In every Parish where there is only One Heritor duly qualified such Heritor shall have *Two* Votes at every Meeting directed to be held pursuant to this Act; and at all Meetings Where only
 under the Act the Preses of the Meeting shall have the Casting One Heritor
 25 Vote. Votes.
 Preses.

XVI. From and after the *passing of this Act*, it shall be lawful for the Heritors of the Parish duly qualified, or any One or more of such Heritors, or for the Minister of the Parish, to lay before the Lord Advocate for Scotland for the Time being a Complaint, alleging that
 30 any Schoolmaster in the Parish is, by reason of Infirmary or old Age, incapable, or by Neglect of Duty, either from engaging in other Occupations or from any other Cause, or by immoral Conduct, cruel and improper Treatment of the Scholars under his Charge, or other Misconduct, unfit properly or satisfactorily to discharge the Duties of
 35 his Office, in which Complaint shall be specified the Nature and Particulars of such Charge, and of the Evidence by which the same can be supported; and the Lord Advocate may, if he thinks fit, and upon such Inquiry as he shall deem expedient, by a written Deliverance under his Hand, or under the Hand of any of his Deputies, authorize
 40 and direct the Procurator Fiscal for the County within which the Schoolhouse of the Schoolmaster is situate to take Proceedings under this Act, before the Sheriff of such County, upon such of the

Matters charged in such Complaint as the Lord Advocate shall allow in his said Deliverance.

Sheriff may, on Petition proceeding upon Authority of the Lord Advocate, remove or dismiss or suspend Schoolmaster.

XVII. The Procurator Fiscal authorized by any such Deliverance shall forthwith apply to the said Sheriff, by way of Petition, for the Removal of the Schoolmaster complained against, upon the Grounds 5 allowed by such Deliverance (whereof a Copy shall be annexed to the Petition); and the said Sheriff, upon such Procedure or Proof in the Matter of such Petition and upon such Notices as he shall think fit, may order and decree the Retirement from Office on account of Infirmary or old Age of such Schoolmaster, and may fix the Amount 10 of retiring Allowance to be paid to such Schoolmaster, within the Limits aforesaid, or he may order and decern the Deprivation of Office or Suspension from Office of the Schoolmaster complained against for a Term not exceeding *Three Years*, on account of any of the other Grounds allowed in such Deliverance, or he may altogether 15 reject the Prayer of such Petition; and the Rules, Orders, and Judgment of the Sheriff on any such Petition shall be final, and not subject to Review or Suspension by any Court or by any Form whatever; and it shall not be competent to institute Proceedings in any other Court against any Schoolmaster under the Provisions 20 of the said recited Acts or any of them, relative to the Trial or Deprivation of Schoolmasters in regard to any such Charge as aforesaid which shall have been made the Ground of Complaint to the Sheriff as herein-before provided.

If Sentence of Deprivation pronounced, School to be declared vacant.

XVIII. Where, under this Act, the Sheriff shall pronounce Sentence of Retirement from Office or of Deprivation of Office of any Schoolmaster, he shall declare the Office vacant from the Date of his Sentence, and the Vacancy shall be intimated, and an Election of another Schoolmaster shall take place, in like Manner as in the Case of a Vacancy arising from Death or otherwise. 30

If Sentence of Suspension pronounced, Salary to be applied in paying a Substitute.

XIX. Where, under the Authority of this Act, the Sheriff shall pronounce Sentence of Suspension from Office of any Schoolmaster, the Salary in respect of his Office or Appointment shall cease and determine from the Date of the Sentence until the next Term of Whitsunday or Martinmas following the Expiration of the Term of 35 Suspension specified in such Sentence, and the Salary accruing during the said Period shall be applied by the Heritors towards providing a Substitute for such Schoolmaster during the Period of his Suspension.

Heritors to provide School-

XX. From and after the Term of Whitsunday next after the *passing of this Act*, every Schoolmaster shall have Right to a Dwelling House 40

House and Garden of the Description and Extent herein-after mentioned, which shall be provided by the Heritors of the Parish; that is to say, a Parochial Schoolmaster shall have Right to a Dwelling House consisting of a Kitchen and not fewer than Three other Apartments (each Apartment being provided with a Fireplace), and a District Schoolmaster shall have Right to a Dwelling House consisting of a Kitchen and not fewer than Two Apartments (each Apartment being also provided with a Fireplace); and in addition to such Dwelling Houses respectively every Schoolmaster shall also have Right to a Portion of Ground for a Garden from Fields used for the ordinary Purposes of Agriculture or Pasturage, as near and convenient to such Dwelling Houses as reasonably may be, which Garden shall contain at least *One Fourth* Part of a Scots Acre, and shall be enclosed with such Fence as is generally used for such Purposes in the District of the Country where it is situated; and the Expense of providing such Dwelling Houses and Gardens, and of maintaining, enclosing, and supporting the same, shall be defrayed and paid in same and like Manner as is prescribed by the said first-recited Act with reference to providing a House for a School: Provided always, that where the Heritors shall determine that such Garden cannot be allotted to a Schoolmaster without great Loss and Inconvenience, it shall be optional to them, subject to Appeal to the Quarter Sessions, as herein-after provided, to assign to such Schoolmaster, in lieu of such Garden, the Sum of *Two Pounds Two Shillings* a Year in addition to his Salary.

houses for Schoolmasters, and every Schoolmaster to have Dwelling House and Garden;

or additional Salary in lieu thereof.

XXI. In case the Heritors shall neglect or refuse to provide the Accommodation of Schoolhouses, Dwelling Houses, or Gardens, or additional Salary in lieu of a Garden, or fail to keep in good Repair such Schoolhouses, Dwelling Houses, and the Enclosures or Fences of such Gardens, according to the Provisions of the recited Acts or this Act, it shall be competent for the Schoolmaster aggrieved thereby to bring the Matter by Petition before the Quarter Sessions held for the County in which his Schoolhouse is situate, and in all such Cases the Judgment of the Quarter Sessions shall be final, and not subject to Review or Suspension in any Court or by any Form whatever: Provided always, that no Justice of the Peace who shall be an Heritor in such Parish shall vote upon such Petition.

In case of Neglect or Refusal of Heritors, or of Dissatisfaction of Schoolmaster, he may appeal to Quarter Sessions.

XXII. All former Acts and Statutes with regard to Parish Schools or Schoolmasters, and the Jurisdiction of the Presbyteries of the Church over them, are hereby reserved, ratified, and confirmed, in so far as they are not altered by the express Provisions of this Act, or are not inconsistent therewith.

Saving former Acts.

Schools.

(Scotland.)

A

B I L L

To amend the Law relating to Parish
Schools in Scotland.

(Prepared and brought in by
Mr. Stirling and Mr. Henry Bailie.)

*Ordered, by The House of Commons, to be Printed,
9 February 1855.*

[Bill 22.]

Under 2 oz.

Sea Coast Fisheries (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Repeal of Statutes passed since 1842; Sect. 1.

Revival of 10 Car. 1. sess. 2. c. 24. securing to Fishermen the Right of going on high Grounds adjoining the Sea to watch for Fish, and to draw Nets on shore, &c. (copied from 1 Jac. 1. c. 23. (E.); 2.

Revival of s. 38. of 59 Geo. 3. c. 109. securing to the Inhabitants of the United Kingdom the Right of Fishing on and using the Coasts, Bays, &c. of Great Britain and Ireland; 3.

20 February 1855. 18 VICT.



(Ireland.)

A

B I L L

TO

Assimilate the Law as to the Sea Coast Fisheries of Ireland to that of England.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

- W**HEREAS the Improvement of the Irish Sea Coast Fisheries is an Object of the most essential Importance to the Wealth and commercial Prosperity, as well as to the naval Strength, of the United Kingdom of Great Britain and Ireland; for the Attain-
5 ment of which it is expedient to relieve the Persons engaged in the said Fisheries from all novel and undue Restrictions and Burdens, and to replace them on an Equality in that Behalf with Persons engaged in the Fisheries of England: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords
10 Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:
- I. So much of an Act passed in the Sixth Year of the Reign of Her Majesty, Chapter One hundred and six, intituled "An Act
" to regulate the Irish Fisheries," as enacts—
15 " VII. That no Person shall, at any Time between Sunrise and
" Sunset, set, either in the Sea or within the Tide Way in any Estuary,
" any Sea Net for the catching of Herrings, or any Trammel Net,
" or leave any Drag or other Net in the Water between Sunrise and
" Sunset, except Stake or Fixed Nets for the catching of Salmon, as is
20 " herein-after provided, and save also Seines or Drift Nets for Pil-
[Bill 28.] A chards
- Preamble.
See 48 G. 3.
c. 110. and
59 Geo. 3.
c. 109.
Repeal of
Sec. 7, 8, 9,
10, and Part
of Sec. 91. of
5 & 6 Vict.
c. 106.;
No Herring
or other
Nets, save as
herein pro-
vided, to be
shot or left
floating in
the Day-
time.

“ chards or Fish other than Herrings, provided such Stake or Fixed
 “ Nets and such Seines or Drift Nets be used at such Times and
 “ Places as may not be prohibited by the Byelaws herein-after men-
 “ tioned; and every Person offending by setting or leaving set any
 “ such Net save as aforesaid, shall forfeit the same and shall also for 5
 “ every such Offence forfeit and pay any Sum not exceeding Ten
 “ Pounds.

Penalty on
 Fishermen
 not hauling
 up their
 Nets.

“ VIII. And that every Person who shall, between Sunset and
 “ Sunrise, have set, either in the Sea or within the Tide Way in any
 “ Estuary, any such Net as is hereby prohibited from being left set 10
 “ or in the Water between Sunrise and Sunset, shall before Sunrise
 “ haul up and remove such Net or Nets; and every Person offending
 “ by not so hauling up and removing such Net before Sunrise shall
 “ forfeit the Net so set or in the Water, and shall also forfeit and pay
 “ any Sum not exceeding Five Pounds, unless it shall be proved to 15
 “ the Justice before whom Complaint shall be made against such
 “ Person that he was prevented by sudden Storm or Stress of Weather
 “ from hauling up and removing such Net.

Penalty on
 use of Trawl
 and Trammel
 Nets.

“ IX. And that every Person who shall use any Trawl or Trammel
 “ Net at any Season or any Place, either in the Sea or within the 20
 “ Tide Way in any Estuary, when or where the Use of the same
 “ shall have been prohibited by any Byelaw to be made as herein-after
 “ mentioned, shall forfeit every such Net so used, and shall for every
 “ such Offence also forfeit and pay any Sum not exceeding Twenty
 “ Pounds.

Net shall not
 be set or
 Lines laid
 contrary to
 the Byelaws.

“ X. And that if any Person shall set any Net at or across the 25
 “ Entrance of any Bay or Estuary in any Place or at any Time which
 “ shall be prohibited by any such Byelaw, every Person so offending
 “ shall forfeit and pay for each such Offence any Sum not exceeding
 “ Five Pounds.” 30

And so much of the said Act as relates to the Power of the
 Commissioners of Fisheries therein mentioned to make Byelaws
 relating to the Fisheries on or off the Sea Coasts of Ireland;

Repeal
 of Part of
 s. 7. of
 7 & 8 Vict.
 c. 108.;

And so much of an Act passed in the Eighth Year of Her Majesty,
 Chapter One hundred and eight, intituled “ An Act to amend an 35
 “ Act of the Sixth Year of Her present Majesty, intituled ‘ An
 “ ‘ Act to regulate the Irish Fisheries,’ and to empower the
 “ Constabulary Force to enforce certain Provisions respecting
 “ the Irish Fisheries,” as authorizes the Commissioners of Fisheries
 therein mentioned to make any Byelaw, Rule, or Regulation 40
 forbidding the Use of Seine Nets for the catching of Herrings;

of Part of
 ss. 14. and 15.
 of 8 & 9 Vict.
 c. 108.;

And so much of an Act passed in the Ninth Year of Her Majesty,
 Chapter One hundred and eight, intituled “ An Act for the
 “ further Amendment of an Act of the Sixth Year of Her
 “ present Majesty, for regulating the Irish Fisheries,” as 45
 authorizes:

authorizes the Commissioners of Fisheries therein mentioned to make any Byelaw "to prohibit the Use at any Time or Season
 " of any Engine or Device for the Capture of Fish, which
 " upon Inquiry had the said Commissioners shall deem to be
 5 " injurious to the Fisheries," so far as the same relates to fishing
 on or off the Sea Coasts of Ireland, or "any Byelaw autho- Sec. 14.
 " rizing the Use between Sunrise and Sunset of any Trammel or
 " other Net on any Part of the Coasts of Ireland or the Islands
 " lying off the same where such Trammel or other Nets may
 10 " in the Opinion of the said Commissioners be used during the
 " Daytime without Injury to the Fisheries ;"

And so much of an Act passed in the Twelfth Year of Her of Part of
 Majesty, Chapter Ninety-two, intituled "An Act for the Pro- ss. 8. and 21.
 " tection and Improvement of the Salmon, Trout, and other of 11 & 12
 15 " Inland Fisheries of Ireland," as enacts that from and after Vict. c. 92. ;
 the First Day of January One thousand eight hundred and Sec. 8.
 forty-nine, all Engines, Nets, Instruments, or Devices whatso-
 ever used for the taking of Salmon, Trout, Pollen, or Fish of the
 Salmon or Trout Kind, or for the taking of Eels, within any of
 20 the several Fishery Districts into which the Commissioners of
 Fisheries therein mentioned were thereby authorized to divide
 Ireland and the Sea Coast and Islands thereof, or on or off the Sec. s. 3.
 Sea Coast of such District, should before the same be used
 in any Year be duly licensed and rated in manner therein men-
 25 tioned, so far as the same relates to fishing on or off the said
 Sea Coast ; and so much of Section Twenty-one of the said
 Act, which Section is in the Words following : " That for Sec. 21.
 " any Engine, Instrument, Net, Weir, or Device whatso-
 " ever, not enumerated in the Schedule to this Act, and
 30 " which may be proposed to be used for fishing for Salmon,
 " Trout, Pollen or Fish of the Salmon or Trout Kind, or
 " for Eels, it shall be lawful for the said Commissioners at
 " any Time before a Board of Conservators shall be formed,
 " and after the Formation of such Board, it shall be lawful for
 35 " such Board of Conservators for the District, as the Case may
 " be, to fix and determine the Licence Duty on Payment of
 " which the same may be used in such District, regard being had
 " as far as practicable, to the relative Capability of Capture and
 " Productiveness of the same, as compared with those set forth in
 40 " the said Schedule, and the relative Proportion of the Duties
 " therein set forth : Provided always, that the Party proposing
 " to use any such Engine, Instrument, Net, Weir, or Device not
 " enumerated in such Schedule shall previously give Notice to
 " some Constabulary or Coast Guard Officer of the District, or
 45 " to some Inspector appointed under this Act, of his Intention to
 " use the same, who shall and is hereby required to forward to
 [28.] A 2 " the

“ the said Commissioners or the said Conservators, as the Case
 “ may be, a Description thereof, as to its relative Capability of
 “ Capture as compared with the Engines, Instruments, Nets,
 “ Weirs, or Devices set forth in the said Schedule, and shall
 “ furnish the Name by which it shall be designated, upon which 5
 “ the Commissioners or the said Conservators, as the Case may
 “ be, may authorize the Use of the same, upon Payment of the
 “ Licence Duty, which they may fix, and cause the same to be
 “ inserted in the Schedule of Licences for the said District :
 “ Provided always, that Rods used singly for taking Trout, 10
 “ Perch, Pike, or other Fish, save and except Salmon, shall not
 “ be subject to any Licence Duty under this Act : Provided
 “ also, that if any Person using a Rod shall under Pretence or
 “ otherwise of fishing for Trout, Perch, Pike, or other Fish,
 “ take or kill Salmon with such Rod, such Person shall be subject 15
 “ to a Penalty of the like Amount as the Licence Duty for the
 “ Time being payable for a Salmon Rod, and the same shall be
 “ recoverable before a Justice or Justices in like Manner as other
 “ Penalties under the said recited Acts or this Act : Provided
 “ also, that all Cross Lines used with a Rod or Rods for taking 20
 “ Fish of any Kind whatsoever shall be subject to the Licence
 “ Duty payable under this Act for the Time being upon Cross
 “ Lines and Rods, until the same shall be altered as herein pro-
 “ vided,” so far as the said Section relates to fishing on or off
 the Sea Coasts of Ireland ;

25

and Part of
 s. 12. of
 13 & 14 Vict.
 c. 88.

And also so much of an Act passed in the Fourteenth Year of Her
 Majesty, Chapter Eighty-eight, intituled “ An Act to amend the
 “ Law relating to Engines used in the Rivers and on the Sea
 “ Coast of Ireland for the taking of Fish,” as increases the
 Penalty for fishing without a Licence, so far as the same relates 30
 to the Sea Coasts of Ireland,

See 5 & 6
 Vict. c. 106.
 s. 101.

Shall be and are hereby repealed, save and except as to any Offences,
 Penalties, or Matters committed, incurred, or done, or which may be
 committed, incurred, or done, against or under the said Provisions
 of the said Acts or any of them before the passing of this Act, 35
 all which Offences shall be dealt with, considered, and punished,
 and all such Penalties levied, and all such Matters deemed good,
 valid, and effectual, to all Intents and Purposes as if this Act had not
 been passed.

Revival of
 10 C. 1.
 ss. 2. c. 24.

II. And whereas the said Act of the Sixth Year of Her Majesty 40
 repealed an Act passed in the Parliament of Ireland in the Tenth
 Year of the Reign of King Charles the First, intituled “ An Act for
 “ the better Preservation of Fishing in the Counties of Dublin, Wick-
 “ low, Wexford, Waterford, Cork, Kerry, Clare, Galway, Mayo,
 “ Sligo,

“ Sligo, and all other Counties and Places within the Realm of Ireland
“ and the Dominions thereof adjoining to the Sea Coast, and for the
“ Relief of Balkors, Condors, and Fishermen against malicious Suits;”
and which was in the Words following:

- 5 “ Whereas the Trade of Fishing for Herrings, Pilchards, and Sean
“ Fish within the Counties of Dublin, Wicklow, Wexford, Waterford,
“ Cork, Kerry, Clare, Galway, Mayo, Sligo, and of other Counties
“ and Places within the said Realm of Ireland and the Dominions
“ thereof adjoining to the Sea Coast, is and of late Time hath been
10 “ very great and profitable, as well to divers of the Fishermen as
“ other His Majesty’s Subjects within this Realm of Ireland and the
“ Dominions thereof: And whereas also for the necessary Use of the
“ taking of the said Herrings, Pilchards, and other Sean Fish divers
“ Persons within the said Counties, called Balkors, Huors, Condors,
15 “ Directors, or Guidors, at the Fishing Time for the said Herrings,
“ Pilchards, and other Sean Fish within the said Counties and Places,
“ Time out of Mind have used to watch and attend upon the high
“ Hills and Grounds near adjoining to the Sea Coasts within the said
“ Counties and Places, for the Discovery and giving Notice to the
20 “ Fishermen and Inhabitants near adjoining when the said Herrings,
“ Pilchards, or Sean Fish come towards or near the Sea Coasts there,
“ and for the guiding and directing of the Fishermen in their Boats
“ upon the Sea Coasts for the taking of the said Herrings, Pilchards,
“ and other Sean Fish: And whereas also now of late divers Persons
25 “ having Lands, Tenements, and Hereditaments near adjoining to the
“ Sea Coasts within the said Counties or other Places where the
“ Fishing Places for the taking of the said Herrings, Pilchards,
“ and other Sean Fish are, have threatened to bring their Actions
“ of Trespass at the Common Law or other Suits, as well in the
30 “ High Courts of Record at Dublin as in inferiour Courts within
“ the said Counties, not only against such Balkors, Huors, Condors,
“ Directors, and Guidors, but also against such Fishermen and
“ other Persons for breaking of their Close as have attended their
“ Seans or Nets, for the drawing and carrying of the said Fish on
35 “ Land or Shore, by reason whereof such Watchmen, Balkors,
“ Huors, Condors, Directors, and Guidors, and such other Persons
“ as heretofore have attended the said Seans and Fishing, have
“ forbore to enter into or go upon the Lands, Tenements, and Here-
“ ditaments near adjoining to such Fishing Places within the said
40 “ Counties and Places for the watching or Discovery of the said
“ Herrings, Pilchards, and other Sean Fish, or to balke, hue, cond, or
“ direct or to attend to the Seans or Nets as heretofore they have
“ done, and will likewise forbear the same hereafter, if Provision be
“ not had and made that they may lawfully enter into and upon such
45 “ Lands, Tenements, and Hereditaments as doe lye near and adjoining
“ ing to the said Sea Coasts and Places of Fishing as aforesaid, for
[38.] A 3 “ their

Fishermen,
&c. may
enter on the
Lands upon
the Sea
Coasts ad-
joining the
Fishing
Places, and
there watch,
guide, &c.,
and draw the
Fish on
shore.

“ their watching, balking, directing, and attending of the Seans as is
“ aforesaid: For Remedy whereof, and for the Maintenance of the
“ said Trade of Fishing, which doth so greatly tend to the Profit of
“ many of the Inhabitants within the said Counties, and others, Be it
“ therefore enacted and declared by our Sovereign Lord the King, 5
“ the Lords Spiritual and Temporal, and the Commons, in this present
“ Parliament assembled, That it is, shall, and may be lawful at all
“ Times hereafter to and for every such Watchmen, Balkors, Huors,
“ Condors, Directors, and Guidors, and all such Fishermen and other
“ Persons as shall necessarily attend the said Seans or Nets as afore- 10
“ said at the Times of fishing for Herrings, Pilchards, and other Sean
“ Fish, within the said Counties and Places where such Fish shall be
“ hereafter taken, to enter and go into and upon any Lands, Tene-
“ ments, and Hereditaments which do lye or adjoyne near unto any
“ such Fishing Places, fit, convenient, and necessary to watch and 15
“ balke in or to draw or carry the said Fish on shore, and there to
“ watch for the said Fish, and to balke, hue, conde, direct, and guide
“ the said Fishermen which shall be upon the said Sea and Sea Coasts
“ for the taking of the said Fish, and to draw and carry the said Fish
“ on Land or Shore, any Law, Usage, or Custom to the contrary in 20
“ anywise notwithstanding:

And if Tres-
pass brought
may plead
Not guilty,
and give the
whole in
Evidence,
and upon
Nonsuit, &c.,
recover Da-
mages, with
Costs, to be
assessed by
some Jury
or Writ of
Inquiry, for
which such
Execution
as for De-
fendant in
Replevin.

“ And be it further enacted by the Authority aforesaid, That if
“ any Action or Trespasse or other Suit shall at any Time hereafter
“ happen to be attempted and brought against any Person or Persons
“ for entering or going on the Lands for watching of the said Fish, 25
“ or for balking, huing, conding, directing, or guiding of the said
“ Fishermen in their Boats upon Sea or Sea Coast, for taking of the
“ said Fish, or for landing of the said Fish as aforesaid by Authority
“ of this present Act, the Defendant and Defendants in any such
“ Action or Suite shall and may plead Not guilty for anything done 30
“ by virtue of this Act; and upon the Trial of that Issue the whole
“ Matter to be given on both Parties in Evidence according to the
“ very Truth of the same; and after such Issue tried for the Defendant
“ or Defendants, or Nonsuit of the Plaintiff or Plaintiffs after Appear-
“ ance, the same Defendant or Defendants to recover his or their 35
“ Damages by reason of his or their wrongful Vexation in that Behalf,
“ with Costs also in that Behalf sustained, and that to be assessed
“ by the same Jury that shall try the said Issue, or else by Writ
“ to enquire of Damages, as the Case shall require, for which Costs
“ and Damages such Defendants shall and may by virtue of this Act 40
“ take and sue forth such Execution as the Defendant in a Replevin
“ may do:”

And it is expedient to revive the said Act: The same shall be and
is hereby revived and in full Force and Effect.

11 G.2. c. 14.
s. 8.
Revival of

III. Whereas many of Her Majesty's Subjects are by divers Pre- 45
tences hindered from fishing on the Coasts of Ireland, to the great
Hurt

- Hurt and Prejudice of the Nation, as well as the particular Persons so hindered: And whereas the said Act of the Sixth Year of Her Majesty repealed an Act passed in the Parliament of the United Kingdom in the Fifty-ninth Year of the Reign of King George the Third, intituled “ An Act for the further Encouragement and Improvement of the Irish Fisheries;” and it is expedient to revive so much of the latter Act as enacted that “ it shall and may be lawful for the Inhabitants of the United Kingdom of Great Britain and Ireland, at all Times and Seasons of the Year when they shall think proper freely to fish for, take, and buy from Fishermen and cure any Herrings, Mackerel, Cod, and Lyng or other Sorts of Fish in all and every Part of the Seas, Creeks, and Bays, wherever such are to be found or can or may be taken, on the Coasts of Great Britain and Ireland; and that no Person or Persons shall under any Pre- tence whatsoever presume to obstruct or hinder any Person or Persons from fishing in the Places aforesaid; nor shall any Person presume to demand or receive any Dues, Sums of Money, or other Consideration whatsoever from the Inhabitants of the United Kingdom for the Use of any Ports, Harbours, or waste Shores on the Coasts of Ireland, except for the Payment of such Harbour or Pier Dues as are and by Law ought to be demanded for Ships, Vessels, and Boats in Piers and Harbours which are built and artificially made; and that every Person or Persons so offending shall for every such Offence forfeit the Sum of Twenty Pounds: Pro- vided always, that nothing herein contained shall be construed to extend to the giving a Power to enter upon or use the Demesne Grounds, Gardens, or Park of any Person without Leave having been previously obtained:” Such Enactment shall be and is hereby revived and in full Force and Effect; and the Penalty therein mentioned shall be recoverable by such Person as shall sue for the same by Information or Action in the Superior Courts of Law, or by Civil Bill Process in the Assistant Barristers’ Courts.

s. 38. of
59 G. 3. c. 109.
which was
an Extension
of 11 G. 2.
c. 14. s. 8.
17 & 18 G. 3.
c. 20 s. 1. and
25 G. 3. c. 35,
ss. 19 & 20.
It shall be
lawful for
the Inhabi-
tants of the
United King-
dom to fish
on the Coasts
and in the
Creeks,
Bays, &c. of
Great Bri-
tain and Ire-
land, and to
use all Ports,
waste Shores,
&c.

Sea Coast Fisheries.

(Ireland.)

A

B I L L

To assimilate the Law as to the Sea
Coast Fisheries of Ireland to that of
England.

(Prepared and brought in by
Mr. McMahon and Mr. Duffy.)

*Ordered, by The House of Commons, to be Printed,
20 February 1855.*

[Bill 28.]

Under 2 oz.

2 March 1855. 18 VICT.



A

B I L L

TO

Enable a Third Principal Secretary and a Third Under Secretary of State to sit in the House of Commons.

WHEREAS under the Provisions of an Act of the Sixth Preamble.
 Year of Queen Anne, Chapter Seven, and of an Act of 6 Anne, c. 7.
 the Twenty-second Year of King George the Third, s. 25.
 Chapter Eighty-two, not more than Two of Her Majesty's Principal 22 G. 3. c. 82.
 Secretaries of State are capable of sitting as Members of the House ss. 1, 2.
 5 of Commons at the same Time, and by reason of the said Act of
 the Twenty-second Year of King George the Third, and of an Act
 of the Fifteenth Year of King George the Second, Chapter Twenty- 15 G. 2. c. 22.
 two, Doubts are entertained whether more than Two of the Under
 10 Secretaries to the Principal Secretaries of State are capable of sitting
 as such Members: And whereas it would be for the Advantage of
 the Public Service that Three of such Principal Secretaries and
 Three of such Under Secretaries should be capable of sitting at the
 same Time in the House of Commons: Be it enacted by the Queen's
 15 most Excellent Majesty, by and with the Advice and Consent of
 the Lords Spiritual and Temporal, and Commons, in the present
 Parliament assembled, and by the Authority of the same, That
 any Three of Her Majesty's Principal Secretaries of State for the
 Time being, and any Three of the Under Secretaries for the Time
 [Bill 49.] being

Three of the
 Principal
 Secretaries
 and Three of
 the Under

2 Secretaries and Under Secretaries of State (House of Commons).

Secretaries being to Her Majesty's Principal Secretaries of State, may sit and
may sit in vote as Members of the House of Commons, anything in the said
the House of Acts or in any other Act or Acts to the contrary notwithstanding;
Commons. but not more than Three such Principal Secretaries and not more
than Three such Under Secretaries shall sit as Members of the House 5
of Commons at the same Time.

Secretaries and Under Secretaries of State (House of Commons).

A

B I L L

To enable a Third Principal Secretary and a Third Under Secretary of State to sit in the House of Commons.

(Prepared and brought in by
Viscount Palmerston and Sir George Grey.)

*Ordered, by The House of Commons, to be Printed,
2 March 1855.*

[Bill 49.]

Under 1 oz.

7 May 1855. 18 VICT.



A

B I L L

TO

Empower the Commissioners of Sewers to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates, and also to give to the said Commissioners certain other Powers for the same Purpose.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS it is of urgent Importance to the Health of the Preamble.
Metropolis that the Powers of the Forty-ninth Section of the Metropolitan Sewers Act should be forthwith actively exercised by the Metropolitan Commissioners of Sewers, for the Purpose of executing in those Houses which Experience has shown to be most exposed to the Ravages of Zymotic Diseases such palliative and preventive Works as the Time admits of, before the approaching Hot Weather renders imminent the Outbreak and Spread of such Epidemic Disorders: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. The Metropolitan Commissioners of Sewers be and they are hereby empowered and required to carry on with the utmost possible Activity Metropolitan Commissioners of

[Bill 111.]

Sewers to carry on Works contemplated by 49th Section of Metropolitan Sewers Act, and to make requisite Advances for such Works out of Monies in their Hands. Commissioners may simultaneously execute Works of Improvement common to several Messuages, and divide the Expense among the Owners or Occupiers.

Activity such Works as are contemplated under the said Forty-ninth Section of the Act aforesaid, and they are hereby authorized to employ on such Works a Sum not exceeding *Twenty-five thousand Pounds* out of the Monies in their Hands borrowed on the Security of the Rates, charging the Cost of such Works in each Case upon the Owner or 5 Occupier, as herein-after provided.

II. Where it shall appear to the Commissioners, on the Presentment of One of their Engineers, that it is requisite or proper for the Drainage of several Messuages, Tenements, or Premises situate in the same Road, Street, or Place, or in contiguous or neighbouring 10 Streets, Roads, or Places, to execute any combined Works, or Works of Improvement common to several Messuages, Tenements, or Premises, and for that Purpose to construct, perform, or execute any Sewers, Drains, Waterclosets, Apparatus, or Works simultaneously or in combination or conjunction, and that such Works can be 15 executed for such a Sum as the Commissioners shall deem reasonable and proper in that Behalf, it shall be lawful for the Commissioners to give notice to the Owners or Occupiers of such Messuages, Tenements, and Premises of their Intention to execute such Works, and to charge them or some of them with the Ex- 20 penses thereof; and the Commissioners shall appoint a Time and Place for receiving Objections in Writing, which any Party interested in such Messuages, Tenements, or Premises, or any of them, may desire to offer, and at the appointed Time and Place the Commissioners shall receive and consider such Objections, if any, and 25 may execute, abandon, or alter such intended Works, and if they shall execute such Works shall ascertain the Expenses incurred thereby, and shall divide such Expenses among the Owners or Occupiers of such Premises respectively, in such Proportions as they may deem equitable and reasonable; and the Amount imposed upon 30 any such Owner or Occupier shall be paid by an Improvement Rate upon such Premises, or as Charges for default, as the Commissioners shall in that Behalf direct and decree.

Sewers (House Drainage).

A

B I L L

To empower the Commissioners of Sewers to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates, and also to give to the said Commissioners certain other Powers for the same Purpose.

(*Prepared and brought in by
Viscount Ebrington and Mr. Montagu Chambers.*)

*Ordered, by The House of Commons, to be Printed,
7 May 1855.*

[Bill 111.]
Under 1 oz.

11 May 1855. 18 VICT.



A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Empower the Commissioners of Sewers to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates, and also to give to the said Commissioners certain other Powers for the same Purpose.

WHEREAS it is of urgent Importance to the Health of the Preamble.
Metropolis that Powers of House Cleansing, Drainage, and Improvement should be forthwith actively exercised by the Metropolitan Commissioners of Sewers, for the Purpose of executing
5 in Houses which may appear exposed to the Ravages of Zymotic Diseases such palliative and preventive Works, either temporary or permanent, as the Time admits of, to obviate the Outbreak and Spread of such Epidemic Disorders: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the
10 Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. That the Metropolitan Commissioners of Sewers be and they Metropolitan
are hereby empowered to carry on forthwith such Works as afore- Commis-
said, and they are hereby authorized to employ on such Works a sioners of
[Bill 119.] Sum carry on Sewers to

Works contemplated by 49th Section of Metropolitan Sewers Act, and to make requisite Advances for such Works out of Monies in their Hands. Commissioners may simultaneously execute Works of Improvement common to several Messuages, and divide the Expense among the Owners or Occupiers.

Sum not exceeding Twenty-five thousand Pounds out of the Monies in their Hands borrowed on the Security of the Rates, charging the Cost of such Works in each Case upon the Owner or Occupier, as herein-after provided.

II. To facilitate the Execution of such Works in Cases where it shall appear to the Commissioners, on the Presentment of One of their Engineers, that it is requisite or proper to execute such Works or any of them in several Messuages, Tenements, or Premises situate in the same Road, Street, or Place, or in contiguous or neighbouring Streets, Roads, or Places, as combined Works, or Works of Improvement common to several Messuages, Tenements, or Premises, and for that Purpose to construct, perform, or execute any Sewers, Drains, Waterclosets, Apparatus, or other Works of Improvement, whether temporary or permanent, simultaneously or in combination or conjunction, and that such Works can be executed for such a Sum as the Commissioners shall deem reasonable and proper in that Behalf, it shall be lawful in all such Cases for the Commissioners to give notice to the Owners or Occupiers of such Messuages, Tenements, and Premises of their Intention to execute such Works, and to charge them or some of them with the whole or Part of the Expenses thereof; and the Commissioners shall appoint a Time and Place for receiving Objections in Writing, which any Party interested in such Messuages, Tenements, or Premises, or any of them, may desire to offer, and at the appointed Time and Place the Commissioners shall receive and consider such Objections, if any, and may execute, abandon, or alter such intended Works, and if they shall execute such Works shall ascertain the Expenses incurred thereby, and shall divide the whole or Part of such Expenses among the Owners or Occupiers of such Premises respectively, in such Proportions as they may deem equitable and reasonable; and the Amount imposed upon any such Owner or Occupier shall be paid by an Improvement Rate upon such Premises, or as Charges for default, as the Commissioners shall in that Behalf direct and decree.

Sewers (House Drainage).

A

BILL

[AS AMENDED IN COMMITTEE]

To empower the Commissioners of Sewers to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates, and also to give to the said Commissioners certain other Powers for the same Purpose.

(Prepared and brought in by
Viscount Ebrington and Mr. Montagu Chambers.)

Ordered, by The House of Commons, to be Printed,
11 May 1855.

[Bill 119.]
Under 1 oz.

9 July 1855. 18 & 19 VICT.



A

B I L L

FOR

Carrying into effect the Engagements between Her Majesty and certain Chiefs of the Sherbro Country near Sierra Leone in Africa, for the more effectual Suppression of the Slave Trade.

WHEREAS on the Thirty-first March One thousand eight hundred and fifty-three an Engagement was concluded between Arthur Edward Kennedy, Esquire, Governor of the Colony of Sierra Leone, on behalf of Her Majesty, and certain Chiefs of the Sherbro Country, namely, Careybah Caulker, Chief of Bombay, and Thomas Stephen Caulker, Chief of the Plantain Islands, Pierre Charley, King of Sherbro, Harry Tucker, Chief of Shebar, and William Tucker, Chief of Bullom and Boom Rivers: And whereas on the Ninth, Nineteenth, and Twenty-first May One thousand eight hundred and fifty-three certain other Engagements were concluded between the said Arthur Edward Kennedy, Governor of the said Colony, on behalf of Her Majesty, and certain other Chiefs of the Sherbro Country, namely, Ibiboo Salifoo, Chief of "Jong," Mahamadoo Calipha, Chief of Barmah, Cabouka, Chief of Bagroo, Pah Rakey, Chief of Baly, Somaaker, Chief of Tassamankar, Soloko, Chief of

[Bill 236.] A Robannah:

Robannah: And whereas on the Seventeenth Day of April One thousand eight hundred and fifty-four another Engagement was concluded between the said Arthur Edward Kennedy, Governor of the said Colony, on behalf of Her Majesty, and a certain other Chief, namely, John Fortune, by which said several Engagements it was amongst other things agreed as follows: "The Cruizers of the British Government, or any Officer deputed by his Excellency the Governor of Sierra Leone, whenever they fall in with any Vessels or Boats belonging to the People of Sherbro, suspected of being engaged in the Slave Trade, may detain and search them, and in case of their finding that any of the Vessels or Boats aforesaid belonging to the People of Sherbro have violated this Engagement, by the Exportation of Slaves from the Coasts of Africa or elsewhere, they (the Government Cruizers, or Officers deputed by his Excellency the Governor of Sierra Leone,) may seize and confiscate the same, and the Vessels and Boats so seized shall be taken to Sierra Leone, to be tried by English Law, and when condemned shall be sold, and the Produce of the Sale shall be divided equally between the Queen of England and the Chief or Chiefs of Sherbro, and the Slaves who were found on board shall be made free:" And whereas it is expedient that effectual Provision should be made for carrying into execution the herein-before recited Provisions of the said several Agreements: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power for
Commanders
of Ships of
War, &c. to
visit and
inspect, &c.
Vessels be-
longing to
the Sherbro
Chiefs.

I. It shall be lawful for the Commanders and other Officers of Her Majesty's Ships of War, or for any Officer deputed by the Governor of Sierra Leone, to detain and search in any Seas any Vessel or Boat belonging to Careybah Caulker, Chief of Bombey, and Thomas Stephen Caulker, Chief of the Plantain Islands, Pierre Charley, King of Sherbro, Harry Tucker, Chief of Shebar, William Tucker, Chief of Bullom and Boom Rivers, Ibiboo Salifoo, Chief of "Jong," Mahamadoo Calipha, Chief of Barmah, Cabouka, Chief of Bagroo, Pah Rakey, Chief of Baly, Somanker, Chief of Tassermanker, Soloko, Chief of Robannah, and John Fortune, or to any of their Subjects, which shall upon reasonable Grounds be suspected of being engaged in the Slave Trade, and to send or carry away such Vessel or Boat, together with its Master, Sailors, Passengers, Slaves, and Cargo, for the Purpose of such Vessel being brought to Adjudication as herein-after mentioned.

As to the
Trial and
Condemna-

II. It shall be lawful for the High Court of Admiralty of England, and for all Courts of Vice-Admiralty in any Dominions of Her Majesty

Majesty beyond the Seas, to take cognizance of and try any such Vessel or Boat, which shall be detained or captured for the Violation of the said Engagements, and to condemn any such Vessel or Boat to Her Majesty, and adjudge as to the Slaves found therein, in like
 5 Manner and under such and the like Rules and Regulations as are contained in any Act or Acts of Parliament in force in relation to the Suppression of the Slave Trade by British-owned Ships, as fully as if all the Powers and Provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts
 10 of Vice-Admiralty.

III. Every Person who shall wilfully and corruptly give false Evidence in any Examination or Deposition had or Affidavit taken in any Proceeding under the said Engagement or this Act shall be deemed guilty of Perjury, and being thereof convicted shall be
 15 subject and liable to all the Punishments, Pains, and Penalties to which Persons convicted of wilful and corrupt Perjury are liable; and every such Person may be tried for any such Perjury, either in the Place where the Offence was committed, or in any Colony or Settlement of Her Majesty near thereto in which there is a Court
 20 of competent Jurisdiction to try any such Offence, or in Her Majesty's Court of Queen's Bench in England, and that in case of any Prosecution for such Offence in Her Majesty's said Court of Queen's Bench the Venue may be laid in the County of Middlesex.

IV. The Pendency of any Suit or Proceeding instituted for the
 25 Condemnation or Restitution of any Vessel, Boat, or Cargo, or Slaves taken, seized, or detained by virtue of the said Agreement, or the final Adjudication, Condemnation, or Judgment or Determination thereupon, may be pleaded in Bar or given in Evidence under the General Issue, and shall be deemed in any Court whatever to be a
 30 complete Bar in any Action, Suit, or Proceeding, whether instituted by any Person or Persons for the Recovery of any such Vessel, Boat, or Cargo, or of any Damage or for any Injury sustained thereby or by the Persons on board the same, in consequence of any Capture, Seizure, or Detention, or anything done under or in pursuance of the
 35 Provisions of the said Agreement.

V. Any Vessel or Boat which shall be condemned as aforesaid may be taken into Her Majesty's Service, upon Payment of such Sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper Price for the same, or if not so taken shall
 40 be broken up and demolished, and the Materials thereof shall be publicly sold in separate Parts, and the Proceeds thereof shall be paid to such Person or Persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

tion of
Vessels
engaged in
the Slave
Trade.

Persons
giving false
Evidence
deemed
guilty of
Perjury.

In case of
Prosecution
in England,
Venue may
be laid in
Middlesex.

Pendency of
Suits to be
a Bar to any
Proceedings
instituted
for the Re-
covery of
the Vessels
detained.

Vessels con-
demned to
be sold for
Her Ma-
jesty's
Service or
broken up.

Captors of Vessels shall, after the same are condemned, be entitled to the Proceeds belonging to Her Majesty.

Payment of Bounty for Slaves captured.

Additional Bounty on Tonnage of Slave Ships captured and demolished.

Where no Slaves are on board a Ship seized and condemned, an additional Bounty on Tonnage to be paid.

VI. Where any Ship or Vessel employed or engaged in such illicit Traffic in Slaves, in violation of the said Engagements, shall be seized by any Ship or Vessel belonging to Her Majesty, and afterwards condemned, there shall be paid to the Captors the net Proceeds to which Her Majesty is entitled, the same to be distributed in the 5 Manner herein-after directed for the Distribution of Bounties on Slaves taken on board the said Vessels.

VII. *There shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships a Bounty of Five Pounds for every Man, Woman, and Child Slave seized and found on board any Vessel 10 or Boat taken and condemned in pursuance of the Provisions of the said Agreement and of this Act, such Bounty to be issued and paid by Order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the Captors aforesaid in such Manner and Proportions as Her Majesty shall think fit to order, by 15 any Order in Council, made or to be made, or by any Proclamation for that Purpose.*

VIII. *Where any Vessel or Boat which shall have been seized and condemned under the Provisions of the said Engagements shall have been or shall be demolished, and the Materials thereof publicly sold 20 in separate Parts, as well as her Cargo, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships, in addition to the Amount of the Proceeds of such Sale, as herein-before mentioned, a further Bounty on the Tonnage of such Vessel or Boat at the Rate of Thirty Shillings for every Ton of such Tonnage. 25*

IX. *Where any Vessel or Boat, having no Slaves on board, shall have been seized and condemned under the Provisions of the said Engagements, there shall be paid to the Commanders, Officers, and Crews of Her Majesty's Ships an additional Bounty upon the Tonnage of such Ship or Vessel at the Rate of Four Pounds for every 30 Ton; and the Tonnage of all such Vessels shall be ascertained according to the Mode of ascertaining the Admeasurement of British Vessels, either by the Principal Officer of the Customs at the Port where the Vessel may be at the Time of Condemnation, or in default thereof by the best Evidence which can be obtained: Provided 35 always, that in every Case in which any Vessel or Boat shall be seized with Slaves on board in which the Bounty calculated upon the Number of Slaves shall be less than the Bounty calculated upon the Tonnage, the Commanders of Her Majesty's Ships making the Seizure may elect to take the Bounty calculated according to Tonnage, instead 40 of the Bounty which would be payable upon the Number of Slaves on board.*

X. All

X. All Bounties payable under this Act shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the Commanders, Officers, and Crews of Her Majesty's Ships, and such Bounties shall be issued and paid by Order from the Commissioners of Her Majesty's Treasury.

Bounties to be paid out of the Consolidated Fund.

XI. In order to entitle the Captors to receive the said Bounty Money, the Tonnage of the Vessel or Boat so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy duly certified of the Sentence or Decree of Condemnation, or by such documentary or other Evidence as they may deem satisfactory.

Proof of Tonnage.

XII. In order to entitle the Captors to receive the said Bounty Money on Slaves, the Number of Men, Women, and Children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury, by producing a Copy, duly certified, of the Sentence or Decree of Condemnation, and also a Certificate under the Hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such Slaves.

Copy of Sentence of Condemnation to be produced to the Treasury.

XIII. Where any Slaves or Persons treated as Slaves shall be seized on board any Vessel or Boat taken and condemned in pursuance of the said Agreement and of this Act, but who shall not have been delivered over in consequence of Death, Sickness, or other inevitable Circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, to direct Payment of *One Moiety* of the Bounty which would have been due in each Case respectively if the said Slaves had been delivered over.

One Moiety of the Bounty only to be paid in certain Cases.

XIV. Any Party or Parties claiming any Benefit by way of Bounty under the Provisions of this Act, or of any Share of the Proceeds of any Vessel confiscated in pursuance of the Provisions of the aforesaid Agreement, may resort to the High Court of Admiralty for the Purpose of obtaining the Judgment of the said Court in that Behalf, and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any Question of joint Capture which may arise upon any Seizure made in pursuance of this Act, and also to enforce any Decrees or Sentences of the said Vice-Admiralty Courts relating to any such Seizure.

Parties claiming Benefit under this Act may resort to Court of Admiralty.

XV. All the Provisions, Rules, Regulations, Forfeitures, and Penalties respecting the Delivery by Prize Agents of Accounts for [236.] Examination, Regulations and Penalties respecting Prize

Agents
Accounts
extended to
Bounties, &c.
under this
Act.

Examination, and the Distribution of Prize Money, and the accounting for and paying over the Proceeds of Prize, and the Per-centage due thereon to Greenwich Hospital, shall be extended to all Bounties and Proceeds to be distributed under the Provisions of this Act to the Officers and Crews of any of Her Majesty's Ships and Vessels of 5 War.

Treasury
may order
Payment
of Costs
awarded for
Vessels de-
tained but
not con-
demned.

XVI. Where any Vessel or Boat belonging in whole or in part to either of the before-mentioned Chiefs, or his Subjects or Dependants, shall have been detained and brought to Adjudication under the Provisions of this Act, and the said Ship shall be restored by Sentence 10 of the Court, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant, to direct Payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of any Costs or Damages which may be duly awarded: Provided always, that nothing herein contained shall exempt such Officer 15 from his Liability to make good the Payment so made, when lawfully called upon, either by the Parties interested therein, or by Order of the said Commissioners of Her Majesty's Treasury.

Treasury
may repay
to the
Seizor of
any Vessel
not con-
demned the
Expenses
incurred
by him.

XVII. When any Seizure shall be made by any of the Commanders, Officers, and Crews of Her Majesty's Ships, and Judgment shall 20 be given against the Seizor, or when such Seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their Discretion it shall seem meet, by Warrant to direct Payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of such Costs and 25 Expenses as the Seizor may have incurred in respect of such Seizure, or any proportional Part thereof.

Slave Trade (Sherbro).

A

B I L L

For carrying into effect the Engagements
between Her Majesty and certain
Chiefs of the Sherbro Country, near
Sierra Leone in Africa for the more
effectual Suppression of the Slave
Trade.

(*Prepared and brought in by*
Mr. John Ball and Lord John Russell.)

Ordered, by The House of Commons, to be Printed,
9 July 1855.

[Bill 286.]

Under 1 oz.

13 June 1855. 18 VICT.



A

B I L L

TO

Empower the Dean and Chapter of Durham to make better Provision for the Incumbents of certain Parochial Districts in the Borough of South Shields.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS by an Act passed in the Fourth Year of the Preamble.
 Reign of Her present Majesty, Chapter One hundred
 and thirteen, the Commissioners of Ecclesiastical Duties
 and Revenues were empowered, out of the Proceeds of certain Pro-
 5 perty of the Cathedral and Collegiate Churches in England and
 Wales, to make additional Provision for the Cure of Souls in Parishes
 where such Assistance should be required ; but the said Commissioners
 have not yet been able to make such Provision in the Parishes where
 Assistance is required within the Borough of South Shields: And
 10 whereas certain Piers, Docks, and other Works of public Improve-
 ment are now in course of Execution or are about to be executed,
 under the Authority of Parliament, within the said Borough of South
 Shields, on certain Lands there the Property of the Dean and Chapter
 of Durham, and by the Expenditure on such Works, and by the
 15 Increase of Trade and Population occasioned thereby, an additional
 Value has accrued to the Land of the Dean and Chapter taken for
 such Works, and to other Land their Property within the said
 [Bill 168.] Borough:

The Dean
and Chapter
of Durham
empowered
to make Pro-
vision for
the Endow-
ment of
certain
Curacies in
South
Shields.

Borough: And whereas the said Borough is comprised within Three Parochial Districts, being respectively Perpetual Curacies in the Patronage of the said Dean and Chapter, that is to say, the several Parochial Districts of Saint Hilda, Saint Stephen, and the Holy Trinity, and it is desirable that the said Dean and Chapter should 5 have Power to make better Provision for the Incumbents of the said Curacies out of the Proceeds of their Property within the said Borough so recently increased in Value as aforesaid: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and 10 Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the said Dean and Chapter of Durham, out of any Monies which have been received or which shall hereafter be received by them as and for the Price and Consideration of any Land taken for the Erection of the said Piers, 15 Docks, and other public Works, and which Monies shall be in the Hands of the said Dean and Chapter, or shall have been or shall be paid into the Bank of England, in the Name of the Accountant General of the High Court of Chancery, in trust for the said Dean and Chapter, to apply or invest, either directly or by Order 20 of the said Court of Chancery, as the Case may be, any Sum or Sums not exceeding in the whole the Sum of *Fifteen thousand Pounds* for the Purpose of augmenting, at the Discretion of the said Dean and Chapter, the Income or Stipends of all or any of the respective Incumbents of the said Three several Curacies, anything in the said 25 recited Act or in any other Act relating to the said Commissioners in anywise notwithstanding.

South Shields Parochial Districts.

A

B. I. L. L.

To empower the Dean and Chapter of
Durham to make better Provision for
the Incumbents of certain Parochial
Districts in the Borough of South
Shields.

(*Prepared and brought in by*
Mr. Ingham and Mr. Atherton).

Ordered, by The House of Commons, to be Printed,
13 June 1855.

[Bill 168.]

Under 1 oz.

23 April 1855. 18 VICT.



A

B I L L

FOR

Granting certain additional Rates and Duties of Excise on Spirits in Scotland and Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

Most Gracious Sovereign,

WE Your Majesty's most dutiful and loyal Subjects, the Com- Preamble.
mons of the United Kingdom of Great Britain and Ireland
in Parliament assembled, towards raising the Supplies to
defray the Expenses of the just and necessary War in which Your
5 Majesty is engaged, have freely and voluntarily resolved to give and
grant unto Your Majesty the several additional Rates and Duties of
Excise herein respectively mentioned: And do therefore most humbly
beseech Your Majesty that it may be enacted; and be it enacted
by the Queen's most Excellent Majesty, by and with the Advice and
10 Consent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same, as
follows:

I. There shall be charged, raised, levied, collected, and paid Grant of
unto and for the Use of Her Majesty, Her Heirs and Successors, upon Duties of
15 the several Goods and Commodities mentioned and described in the Excise in
Schedule marked (A.) hereunto annexed, the several Sums of Money (A.)
and additional Duties of Excise as they are respectively inserted,
described, and set forth in the said Schedule; and there shall be made, Allowance
allowed, and paid for or in respect of the Goods and Commodities and Draw-
20 mentioned and described in the Schedule marked (B.) hereunto backs in
annexed, the several Allowances and Drawbacks of Excise as (B.)
[Bill 87.] A the

the same are respectively inserted, described, and set forth in the said last-mentioned Schedule; and the said Duties, Allowances, and Drawbacks respectively shall commence and take effect on the respective Days mentioned in the said Schedules respectively.

Drawback
on Spirit
Mixtures to
cease except
as to Made
Wines.

II. Provided always, That no Drawback of Excise shall be allowed 5
or paid for or upon any of the Mixtures, Compounds, Preparations, or
Commodities described in the Schedule (B.) annexed to the Act
passed in the Session of Parliament holden in the Seventeenth and
Eighteenth Years of Her Majesty's Reign, Chapter Twenty-seven,
which on or after the *Twentieth Day of April One thousand eight hun-* 10
dred and fifty-five shall be removed from England or Scotland to Ire-
land, except upon Made Wines; and that for and upon every Gallon of all
Made Wines which shall be so removed as aforesaid, there shall be
allowed and paid the countervailing Drawback of *Twopence Three*
Farthings, and no more. 15

Duties, &c.
to be under
the Manage-
ment of the
Commission-
ers of Inland
Revenue,
and to be
collected and
paid under
the Provi-
sions of Acts
relating to
Excise.

III. The said several Duties, Allowances, and Drawbacks of Excise
by this Act granted and imposed and allowed respectively shall be
under the Management of the Commissioners of Inland Revenue, and
shall be charged, raised, levied, collected, recovered, paid, applied,
and allowed respectively, in such and the like Manner, and by the 20
same Ways, Means, and Methods, by which other Duties, Allowances,
and Drawbacks of Excise upon or in respect of Goods or Commodities
of the same Sorts or Kinds respectively, are or may be respectively
charged, raised, levied, collected, recovered, allowed, paid, and applied;
and all Acts relating to the Duties, Allowances, and Drawbacks of 25
Excise respectively, and all Fines, Forfeitures, Pains, and Penalties
for any Offence against or in breach of any Act or Acts for securing the
Duties of Excise or any of them, or for the Regulation or Improve-
ment thereof, and the several Clauses, Provisions, Powers, and
Directions contained in such Acts, shall and are hereby directed and 30
declared (except as altered by this Act) to extend to and shall be
respectively applied, practised, and put in execution for and in respect
of the said Duties, Allowances, and Drawbacks hereby granted, im-
posed, and allowed respectively, in as full and ample a Manner to all
Intent and Purposes as if all and every the said Acts, Clauses, 35
Provisions, Powers, and Directions, Pains, Penalties, and Forfeitures,
were particularly repeated and re-enacted in the Body of this Act
with reference to the said Duties, Allowances, and Drawbacks hereby
respectively granted imposed, and allowed as aforesaid.

Additional
Duties to be
added to the
Price of Ar-
ticles con-
tracted for.

IV. And whereas Contracts or Agreements may have been made 40
for the Sale or Delivery of some of the Goods or Commodities on
which increased or additional Duties of Excise are by this Act
granted

granted and imposed, which Contracts or Agreements may have been made with no reference to such additional Duties, and thereby the several Contractors may be materially affected : For Remedy thereof, be it enacted, That every Person who shall have made or entered into
5 any such Contract or Agreement shall be and is hereby authorized and empowered in the Case of any such Contract or Agreement to add so much Money as will be equivalent to the increased or additional Duty hereby granted on any such Goods or Commodities respectively to the Price thereof, and shall be entitled by virtue of
10 this Act to be paid and to sue for and recover the same accordingly.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

DUTIES.

SPIRITS.

SCOTLAND AND IRELAND.

Duties.

£ s. d.

For and upon every Gallon of Spirits of the Strength of Hydrometer Proof which on or after the *Twentieth Day of April One thousand eight hundred and fifty-five* shall be distilled in Scotland and Ireland respectively, or be in the Stock, Custody, or Possession of any Distiller, Rectifier, or Compounder of or Dealer in Spirits in Scotland or Ireland, or of any Person in trust for him, or for his Use, Benefit, or Account, or which, having been distilled in England, Scotland, or Ireland, shall on or after the said Day be in Warehouse in Scotland or Ireland, and be taken out of Warehouse for Consumption in Scotland or Ireland, or which, having been taken out of Warehouse in England for Removal to Scotland or Ireland, shall on or after the said Day be brought into Scotland or Ireland, the additional Duty following; that is to say,

In Scotland, the additional Duty of - - - 0 1 10

In Ireland, the additional Duty of - - - 0 2 0

And so in proportion for any greater or less Degree of Strength, or any greater or less Quantity.

CHANNEL ISLANDS.

For and upon every Gallon of Spirits of the Nature or Quality of plain British Spirits of the Strength of Hydrometer Proof, manufactured or distilled in the Islands of Guernsey, Jersey, Alderney, and Sark respectively, and imported from any of the said Islands into Scotland or Ireland, the following countervailing Duties to be charged and paid on and after the *Twentieth Day of April One thousand eight hundred and fifty-five*; that is to say,

If imported into Scotland - - - 0 9 0

If imported into Ireland - - - 0 7 2

And

And so in proportion for any greater or less Degree of Strength or any greater or less Quantity of such Spirits imported into Scotland and Ireland respectively,

In lieu of the countervailing Duties of Excise now chargeable on such last-mentioned Spirits under any other Act or Acts in force.

SPIRIT MIXTURES.

For and upon the several Mixtures, Compounds, Preparations, and Commodities next herein-after enumerated or described, which on or after the *Twentieth Day of April One thousand eight hundred and fifty-five* shall be removed from Ireland to England or Scotland, the several Sums of Money and Duties of Excise herein-after respectively inserted and set forth, in lieu of the respective Duties of Excise now payable thereon, under any other Act or Acts in force; that is to say,

Articles enumerated. For every Gallon thereof removed.	Countervailing Duties.		
	From Ireland to England or Scotland.		
	£	s.	d.
Ether - - - - -	0	4	7
Sweet Spirits of Nitre - - - - -	}	0	2
Camphorated Spirits - - - - -			
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other Ingredients - - - - -			
Compound Spirits of Lavender - - - - -			
Spirits of Rosemary - - - - -			
Spirits of Ammonia - - - - -			
Sal Volatile - - - - -			
Friar's Balsam - - - - -			
Compound Tincture of Benzoin - - - - -			
Tincture of Assafoetida - - - - -			
Tincture of Castor - - - - -			
Tincture of Kino - - - - -			
Tincture of Guaiacum - - - - -			
Tincture of Myrrh - - - - -			
Tincture of Ginger - - - - -			
Spirit Varnishes and Lacquers - - - - -	}	0	1
Other Tinctures and Medicated Spirits - - - - -			
Made Wines - - - - -			
		0	0
			2 $\frac{3}{4}$

SCHEDULE (B.)

ALLOWANCES AND DRAWBACKS.

	Allowance or Drawback.
	£ s. d.
For and upon every Gallon of Spirits of the Strength of Hydrometer Proof, and so in proportion for any greater or less Quantity or any greater or less Degree of Strength, distilled in England or Ireland from Malt only, which shall be mashed on or after the <i>Twentieth Day of April One thousand eight hundred and fifty-five</i> , and which Spirits shall be distilled at the Rate of Two Gallons of such Spirits for every Bushel of Barley Malt, or in Ireland One Bushel and Three Tenth Parts of a Bushel of Malt made from Bear or Bigg, the Allowance of	0 1 4
In lieu of all Allowances granted on such Spirits by any other Act or Acts now in force :	
Provided always, that if the Quantity of Malt mashed and used in the Production of such Spirits shall be less than after the Rate of One Bushel of Barley Malt, or One Bushel and Three Tenth Parts of a Bushel of Malt made from Bear or Bigg, for every Two Gallons of Proof Spirits charged with Duty a Deduction from the Amount of such Allowance shall be made, after the Rate of <i>Four Shillings</i> for every Bushel of Barley Malt and every Bushel and Three Tenth Parts of a Bushel of Bear or Bigg Malt, which shall respectively be so deficient.	
And for and upon such Spirits distilled in England or Ireland from Malt only, and on which the Allowance aforesaid shall have been made, and which said Spirits shall be duly removed from Warehouse for Exportation or for Use as Ships Stores, and be duly exported or shipped as Stores, under and according to the Laws and Regulations of Customs in such respect, over and above the Allowance aforesaid, and in lieu of the Drawback granted and payable under any former Act, for every Gallon of such Spirits actually exported or shipped as Stores as aforesaid, a Drawback of	0 0 8

Spirit Duties (Scotland and Ireland).

A

BILL

For granting certain additional Rates and
Duties of Excise on Spirits in Scotland
and Ireland.

(Prepared and brought in by
Mr. FitzRoy, the Chancellor of the Exchequer,
and *Mr. Wilson.*)

Ordered, by the House of Commons, to be Printed,
23 April 1855.

[Bill 87.]

Under 1 oz.

11 May 1855. 18 VICT.



A

BILL

[AS AMENDED IN COMMITTEE]

FOR

Granting certain additional Rates and Duties of
Excise on Spirits in Scotland and Ireland.

PROPOSED NEW TITLE:

A BILL for granting certain additional Rates and Duties of
Excise.

[Note.—*The Clauses marked A. to H. were added in Committee.*]

Most Gracious Sovereign,

WE Your Majesty's most dutiful and loyal Subjects, the Com- Preamble.
mons of the United Kingdom of Great Britain and Ireland
in Parliament assembled, towards raising the Supplies to
5 defray the Expenses of the just and necessary War in which Your
Majesty is engaged, have freely and voluntarily resolved to give and
grant unto Your Majesty the several additional Rates and Duties of
Excise herein respectively mentioned; and do therefore most humbly
beseech Your Majesty that it may be enacted; and be it enacted
10 by the Queen's most Excellent Majesty, by and with the Advice and
Consent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same, as
follows:

I. There shall be charged, raised, levied, collected, and paid Grant of
15 unto and for the Use of Her Majesty, Her Heirs and Successors, upon Duties of
the several Goods and Commodities mentioned and described in the Excise in
Schedule marked (A.) hereunto annexed, the several Sums of Money (A.)
and additional Duties of Excise as they are respectively inserted,
described, and set forth in the said Schedule; and there shall be made, Allowance
[Bill 118.] A allowed, and Draw-

backs in
Schedule
(B.)

allowed, and paid for or in respect of the Goods and Commodities mentioned and described in the Schedule marked (B.) hereunto annexed, the several Allowances and Drawbacks of Excise as the same are respectively inserted, described, and set forth in the said last-mentioned Schedule; and the said Duties, Allowances, and 5 Drawbacks respectively shall commence and take effect on the respective Days mentioned in the said Schedules respectively.

Drawback
on Spirit
Mixtures to
cease, except
as to Made
Wines.

II. Provided always, That no Drawback of Excise shall be allowed or paid for or upon any of the Mixtures, Compounds, Preparations, or Commodities described in the Schedule (B.) annexed to the Act 10 passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her Majesty's Reign, Chapter Twenty-seven, which on or after the Twentieth Day of April One thousand eight hundred and fifty-five shall be removed from England or Scotland to Ire- land, except upon Made Wines; and that for and upon every Gallon of all 15 Made Wines which shall be so removed as aforesaid, there shall be allowed and paid the countervailing Drawback of Twopence Three Farthings, and no more.

Duties, &c.
to be under
the Manage-
ment of the
Commission-
ers of Inland
Revenue,
and to be
collected and
paid under
the Provi-
sions of Acts
relating to
Excise.

III. The said several Duties, Allowances, and Drawbacks of Excise by this Act granted and imposed and allowed respectively shall be 20 under the Management of the Commissioners of Inland Revenue, and shall be charged, raised, levied, collected, recovered, paid, applied, and allowed respectively, in such and the like Manner, and by the same Ways, Means, and Methods, by which other Duties, Allowances, and Drawbacks of Excise upon or in respect of Goods or Commodities 25 of the same Sorts or Kinds respectively, are or may be respectively charged, raised, levied, collected, recovered, allowed, paid, and applied; and all Acts relating to the Duties, Allowances, and Drawbacks of Excise respectively, and all Fines, Forfeitures, Pains, and Penalties for any Offence against or in breach of any Act or Acts for securing the 30 Duties of Excise or any of them, or for the Regulation or Improvement thereof, and the several Clauses, Provisions, Powers, and Directions contained in such Acts, shall and are hereby directed and declared (except as altered by this Act) to extend to and shall be respectively applied, practised, and put in execution for and in respect 35 of the said Duties, Allowances, and Drawbacks hereby granted, imposed, and allowed respectively, in as full and ample a Manner to all Intents and Purposes as if all and every the said Acts, Clauses, Provisions, Powers, and Directions, Pains, Penalties, and Forfeitures, were particularly repeated and re-enacted in the Body of this Act 40 with reference to the said Duties, Allowances, and Drawbacks hereby respectively granted, imposed, and allowed as aforesaid.

IV. And

IV. And whereas Contracts or Agreements may have been made for the Sale or Delivery of some of the Goods or Commodities on which increased or additional Duties of Excise are by this Act granted and imposed, which Contracts or Agreements may have been made with no reference to such additional Duties, and thereby the several Contractors may be materially affected: For Remedy thereof, be it enacted, That every Person who shall have made or entered into any such Contract or Agreement shall be and is hereby authorized and empowered in the Case of any such Contract or Agreement to add so much Money as will be equivalent to the increased or additional Duty hereby granted on any such Goods or Commodities respectively to the Price thereof, and shall be entitled by virtue of this Act to be paid and to sue for and recover the same accordingly.

Additional Duties to be added to the Price of Articles contracted for.

Upon the Delivery of any Spirits from a Duty-free Warehouse in Ireland for Consumption in England or Scotland, the full Amount of the Duty chargeable on Spirits distilled in England or Scotland for Consumption there shall be paid on such Spirits in Ireland previously to the Removal thereof from such Warehouse, anything in the Act passed in the Sixth Year of the Reign of King George the Fourth, Chapter Eighty, contained to the contrary notwithstanding.

CLAUSE A.
Full British Duty to be paid on Spirits delivered from a Duty-free Warehouse in Ireland for Consumption in England or Scotland.

Notwithstanding anything contained in any former Act to the contrary, it shall be lawful to send out or remove from any Distillery, either for Consumption or into any Warehouse, Spirits of the Degree of Strength denominated Proof Strength, or within Six Tenths of One per Centum over or under such Strength, as well as of the respective Strengths specified and allowed by any former Act, but under and subject, nevertheless, to all such Rules and Regulations as are contained in any former Act with respect to Spirits of any other specified Strength.

CLAUSE B.
Spirits may be sent out or warehoused at Proof Strength or within Six Tenths thereof.

Every Licensed Distiller in England and Ireland respectively shall be entitled to the Allowance by this Act granted in respect of Spirits distilled from Malt only, whether for Consumption in England, Scotland, or Ireland, or for Exportation or Use as Ships Stores; and all Enactments, Regulations, Provisions, Pains, Penalties, and Forfeitures contained in any Act mentioned or referred to in the Thirteenth Section of the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her Majesty's Reign, Chapter One hundred and twenty-two, or contained in any other Act or Acts in force in relation to the making or Use of Malt for the Distillation of Spirits from Malt only, or in relation to the Distillation of such Spirits in Scotland, or the warehousing or Removal thereof,

CLAUSE C.
Distillers in England and Ireland to be entitled to Allowance on Spirits distilled from Malt for Home Consumption as well as for Exportation.

either for Exportation or for Use as Ships Stores, or for Home Consumption, or in relation to the granting or Payment of the said Allowance in respect of Spirits distilled in Scotland, or for the preventing of Frauds in claiming the same, shall be observed, applied, and enforced with respect to the making and Use of Malt for Distillation, and the distilling of Spirits from Malt only in England and Ireland respectively, and the said Allowance granted thereon, as fully and effectually to all Intents and Purposes as if the same had been repeated and re-enacted, mutatis mutandis, in this Act, with reference to the said Allowance by this Act granted. 10

CLAUSE D.
Provisions
repealed.

Enactments
requiring
Repayment
of Malt Al-
lowance on
Spirits for
Consumption
in England
or Ireland;
and Prohibi-
tion to re-
move Spirits,
and Spirit
Mixtures,
between
England and
Scotland
otherwise
than by Sea.

So much and such Part and Parts of the several Acts in force as is and are herein-after in this Clause mentioned or referred to shall be and the same is and are hereby repealed; (that is to say,)

So much of any Act as enacts or requires that upon the Removal to England or Ireland for Consumption there of Spirits distilled in Scotland from Malt only, or that on the Delivery for Consumption in England or Ireland of Spirits from Malt only, One Half or any other Portion of the Allowance granted thereon in respect of the Malt used in the Distillation thereof, and so much of any Act as prohibits or restrains the Removal otherwise than by Sea from England to Scotland, or from Scotland to England, of any British Spirits, whether compounded, medicated, or otherwise, or any Spirit Mixtures or Preparations, or any Made Wines. 15 20

CLAUSE E.
Distillers
may remove
Duty-paid
Spirits be-
tween Eng-
land and
Scotland,
in like
Manner as
between
Places in
the same
Part of Great
Britain.

From and immediately after the passing of this Act, it shall be lawful for Distillers in England and Scotland respectively to remove from their respective Stores Spirits on which the full Duties of Excise chargeable by Law shall have been paid from England to Scotland, or from Scotland to England, in like Manner as such Spirits may now be removed, and under and subject to the like Rules and Regulations as the same are now subject and liable to on the Removal thereof to and from and between Places both of which are situated in one and the same Part of Great Britain. 25 30

CLAUSE F.
Duty-paid
Spirits may
be removed
from the
Stocks of
Rectifiers
and Dealers
between
England and
Scotland.

And on and from and after the First Day of October One thousand eight hundred and fifty-five Spirits on which the full Duties of Excise chargeable by Law shall have been paid may lawfully be removed from the respective Stocks of Rectifiers, Compounders, Dealers, and Retailers of Spirits, in England and Scotland respectively, to and from and between the said respective Parts of Great Britain, in like Manner as such Spirits may now be removed, and under and subject to the like Rules and Regulations as the same are now subject and liable to on the Removal thereof from 35 40

from any such last-mentioned Stocks to and from and between Places both of which are situated in one and the same Part of Great Britain.

- In respect of all Corn or Grain in process of making into Malt, to be used in the Distillation of Spirits made from Malt only, the Allowance to be made upon the Gauges of such Corn or Grain during the Time that the same shall be in the Cistern or in the Couch Frame, whilst directed by Law to be deemed and gauged as in Couch, shall be after the Rate of Seventeen Bushels only for every One hundred Bushels of the whole Quantity of the Corn or Grain so found by such Gauge, anything in the Ninth Section of the Act passed in the First Year of Her Majesty's Reign, Chapter Forty-nine, notwithstanding.

CLAUSE G.
Allowance
on the Cis-
tern or Couch
Gauges of
Malt-making
for distilling
Purposes to
be 17 per
Cent.

- If any Maltster or Maker of Malt to be used in distilling Spirits from Malt only, or if any Distiller having given Notice of his Intention to distil Spirits from Malt only, shall at any Time hereafter be convicted of any of the several Offences specified in the Seventy-third Section of the Act passed in the Session of Parliament holden in the Seventh and Eighth Years of the Reign of King George the Fourth, Chapter Fifty-two, or in the Ninety-second Section of the Act passed in the Fourth Year of the Reign of the said King George the Fourth, Chapter Ninety-four, or in the Ninth Section of the Act passed in the Second Year of the Reign of His late Majesty King William the Fourth, Chapter Twenty-nine, and if such Maltster or Distiller shall afterwards be again convicted either of the same Offence or any other of the several Offences aforesaid, it shall be lawful for the Commissioners of Inland Revenue, and they are hereby empowered, to revoke and annul the Licence granted to such Maltster or Distiller, and to refuse to grant to him any further Licence as a Maltster or Distiller, and also to refuse to grant any such Licence to any other Person to exercise such Trade or Business at the same Premises where the Offence was committed in respect of which such Second Conviction as aforesaid was made.

CLAUSE H.
Commission-
ers may re-
voke the
Licence of a
Maltster for
Distillery
Purposes, or
a Distiller
from Malt,
on a Second
Conviction
of any of
the Offences
herein speci-
fied.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

DUTIES.

SPIRITS.

SCOTLAND AND IRELAND.

Duties.
£ s. d.

For and upon every Gallon of Spirits of the Strength of Hydrometer Proof which on or after the Twentieth Day of April One thousand eight hundred and fifty-five shall be distilled in Scotland and Ireland respectively, or be in the Stock, Custody, or Possession of any Distiller in Scotland or Ireland, or of any Person in trust for him, or for his Use, Benefit, or Account, or which, having been distilled in England, Scotland, or Ireland, shall on or after the said Day be in Warehouse in Scotland or Ireland, and be taken out of Warehouse for Consumption in Scotland or Ireland, or which, having been taken out of Warehouse in England for Removal to Scotland or Ireland, shall on or after the said Day be brought into Scotland or Ireland, the additional Duty following; that is to say,

In Scotland, the additional Duty of - - - - - 0 1 10

In Ireland, the additional Duty of - - - - - 0 2 0

And so in proportion for any greater or less Degree of Strength, or any greater or less Quantity.

CHANNEL ISLANDS.

For and upon every Gallon of Spirits of the Nature or Quality of plain British Spirits of the Strength of Hydrometer Proof, manufactured or distilled in the Islands of Guernsey, Jersey, Alderney, and Sark respectively, and imported from any of the said Islands into Scotland or Ireland, the following countervailing Duties to be charged and paid on and after the Twentieth Day of April One thousand eight hundred and fifty-five; that is to say,

If imported into Scotland - - - - - 0 9 0

If imported into Ireland - - - - - 0 7 2

And

And so in proportion for any greater or less Degree of Strength or any greater or less Quantity of such Spirits imported into Scotland and Ireland respectively,

In lieu of the countervailing Duties of Excise now chargeable on such last-mentioned Spirits under any other Act or Acts in force.

SPIRIT MIXTURES.

For and upon the several Mixtures, Compounds, Preparations, and Commodities next herein-after enumerated or described, which on or after the Twentieth Day of April One thousand eight hundred and fifty-five shall be removed from Ireland to England or Scotland, the several Sums of Money and Duties of Excise herein-after respectively inserted and set forth, in lieu of the respective Duties of Excise now payable thereon, under any other Act or Acts in force; that is to say,

Articles enumerated. For every Gallon thereof removed.	Countervailing Duties.
	From Ireland to England or Scotland.
	£ s. d.
Ether	0 4 7
Sweet Spirits of Nitre	0 2 9
Camphorated Spirits	
Lavender Water and other Perfumes, being Spirits scented with Essential Oils, Flowers, or other In- gredients	
Compound Spirits of Lavender	
Spirits of Rosemary	
Spirits of Ammonia	
Sal Volatile	
Friar's Balsam	
Compound Tincture of Benzoin	
Tincture of Assafoetida	
Tincture of Castor	
Tincture of Kino	
Tincture of Guaiacum	
Tincture of Myrrh	
Tincture of Ginger	
Spirit Varnishes and Lacquers	0 1 10
Other Tinctures and Medicated Spirits	0 0 2 $\frac{3}{4}$
Made Wines	

SUGAR.

For and upon all Sugar made in the United Kingdom on or after the 21st Day of April 1855, the several Sums of Money and Duties of Excise herein-after inserted, described, and set forth; that is to say,

	Until the 5th Day of April inclusive which shall first happen after the End of Twelve Months from the Date of a definitive Treaty of Peace with Russia.	For the following Twelve Months after such 5th Day of April.	Thereafter.
	£ s. d.	£ s. d.	£ s. d.
On Candy, Brown or White, Refined Sugar, or Sugar rendered by any Process equal in Quality thereto, for every Hundredweight	1 0 0	0 16 8	0 13 4
On White Clayed Sugar, or Sugar rendered by any Process equal in Quality to White Clayed, not being Refined or equal in Quality to Refined, for every Hundredweight	0 17 6	0 14 7	0 11 8
On Yellow Muscovado and Brown Clayed Sugar, or Sugar rendered by any Process equal in Quality to Yellow Muscovado or Brown Clayed, and not equal to White Clayed, according to a Standard to be furnished by the Commissioners of Her Majesty's Treasury, for every Hundredweight	0 15 0	0 12 9	0 10 6
On Brown Muscovado or any other Sugar, not being equal in Quality to Yellow Muscovado or Brown Clayed Sugar, according to a Standard to be furnished by the said Commissioners, for every Hundredweight	0 13 9	0 11 8	0 9 6
On Molasses, for every Hundredweight	0 5 4	0 4 6	0 3 9
And so in proportion for any greater or less Quantity than a Hundredweight.			

In lieu of the Duties of Excise now payable on Sugar made in the United Kingdom.

And for and upon every Hundredweight, and so in proportion for any greater or less Quantity than a Hundredweight, of all Sugar which, on or after the Twenty-first Day of April One thousand eight hundred and fifty-five, shall be used by any Brewer of Beer for Sale in the brewing or making of Beer - - - 0 3 9

And so in proportion, more or less, according to the Rates of the Duty of Excise on Malt, and of the Duty of Customs on Sugar respectively from Time to Time payable, so that the aggregate of the

Duties of Excise and Customs on Sugar used in Brewing may be at all Times an Equivalent for the Duty of Excise on the Malt for which such Sugar is substituted.

In lieu of the Duty of Excise chargeable on such Sugar, under the Act passed in the last Session of Parliament, Chapter Thirty, but over and above all other Duties, whether of Excise or Customs.

SCHEDULE (B.)

ALLOWANCES AND DRAWBACKS.

Allowance or
Drawback.

For and upon every Gallon of Spirits of the Strength of £ s. d.
Hydrometer Proof, and so in proportion for any greater
or less Quantity or any greater or less Degree of
Strength, distilled in England or Ireland from Malt
only, which shall be mashed on or after the Twentieth
Day of April One thousand eight hundred and fifty-five,
and which Spirits shall be distilled at the Rate of Two
Gallons of such Spirits for every Bushel of Barley
Malt, or in Ireland One Bushel and Three Tenth
Parts of a Bushel of Malt made from Bear or Bigg,
the Allowance of - - - - - 0 1 4

And for and upon such Spirits distilled in England or Ireland from Malt only, and on which the Allowance aforesaid shall have been made, and which said Spirits shall be duly removed from Warehouse for Exportation or for Use as Ships Stores, and be duly exported or shipped as Stores, under and according to the Laws and Regulations of Customs in such respect, over and above the Allowance aforesaid, and in lieu of the Drawback granted and payable under any former Act, for every Gallon of such Spirits actually exported or shipped as Stores as aforesaid, a Drawback of - - 0 0 8

And for and in respect of all Sugar and Molasses actually received and used on and after the Twenty-first Day of April One thousand eight hundred and fifty-five, in the brewing or making of Worts or Wash brewed or made from Sugar only, or from Molasses only, or from any Mixture of these Materials and Treacle, or Malt or Grain, and distilled into Spirits by any Distiller in England, Scotland, or Ireland, an Allowance after the Rate of Twelve Shillings and One Penny for every One hundred and twelve Pounds of Sugar so used, and after the Rate of Four Shillings and Threepence Halfpenny for every One hundred and twelve Pounds of Molasses so used; and so in proportion more or less according to the Rates of the Duty of Customs on Sugar and Molasses respectively and of the Duty of Excise on Malt from Time to Time payable in lieu of the Allowances in respect of such Sugar and Molasses respectively contained in Schedule D. annexed to the Act Seventeenth and Eighteenth Victoria, Chapter Twenty-seven.

Spirit, &c. Duties (Excise).

A

BILL

[AS AMENDED IN COMMITTEE]

For granting certain additional Rates and
Duties of Excise on Spirits in Scotland
and Ireland.

PROPOSED NEW TITLE:

A BILL for granting certain additional
Rates and Duties of Excise.

(Prepared and brought in by
Mr. FitzRoy, the Chancellor of the Exchequer,
and Mr. Wilson.)

Ordered, by the House of Commons, to be Printed,
11 May 1855.

[Bill 118.]

Under 1 oz.

7 June 1855. 18 VICT.



A

B I L L

TO

Allow Spirit of Wine to be used Duty-free in the
Arts and Manufactures of the United Kingdom.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

WHEREAS it is expedient, with a view to promote the Preamble.
Advancement of the Arts and Manufactures of the United
Kingdom, to allow Spirit of Wine to be used Duty-free
in the various Processes thereof: Be it therefore enacted by the
5 Queen's most Excellent Majesty, by and with the Advice and Con-
sent of the Lords Spiritual and Temporal, and Commons, in this
present Parliament assembled, and by the Authority of the same, as
follows:

I. It shall be lawful for the Commissioners of Inland Revenue to
10 permit and authorize any Distiller or Rectifier of Spirits, or other
Person specially licensed in that Behalf, to mix, under the Conditions
and Regulations herein-after mentioned, Spirit of Wine of not less
Degree of Strength than *Fifty* per Cent. over Proof, and in a Quantity
of not less than *Four hundred and fifty* Gallons at One Time, with
15 not less than *One Ninth* of its Bulk Measure of Wood Naptha or
Methylie Alcohol, or to mix Spirit of Wine of such other Degree of
Strength and in such other Quantity or Proportion with Wood
[Bill 163.] A Naptha

A Mixture
of Spirit of
Wine and
Methylie
Alcohol may
be allowed
Duty-free
for Use in
the Arts or
Manufac-
tures.

Naptha or Methylie Alcohol, or with such other Article or Substance as the said Commissioners shall from Time to Time approve, order, and direct, and as to the Satisfaction of the said Commissioners shall render such Spirit unfit for Use as a Beverage, and incapable of being converted to that Purpose, and thereupon such Mixture shall be 5 allowed Duty-free for Use in such Branches of the Arts and Manufactures of the United Kingdom as the said Commissioners shall sanction or approve in that Behalf, or if such Mixture shall be made by a Rectifier with Duty-paid Spirit of Wine, he shall be allowed a Drawback of the Duty on such Spirit of Wine at the Rate charge- 10 able on Spirits of the like Strength distilled in that Part of the United Kingdom where such Mixture shall be made.

The Mixture
to be termed
Methylated
Spirit.

II. The said Mixture of Spirit of Wine with Wood Naptha or Methylie Alcohol shall be denominated Methylated Spirit, and the Mixture of Spirit of Wine with any other Substance appointed or 15 approved by the said Commissioners for the Purpose aforesaid shall be designated by such Term as they shall from Time to Time direct; and wherever in this Act the Term Methylated Spirit is used the same shall be deemed to include any and every such other Mixture as last mentioned, and the several Provisions of this Act shall be 20 deemed to apply to any and every such last-mentioned Mixture as if the Term by which the said Commissioners shall direct the same to be designated had been substituted in this Act for and in lieu of the Term Methylated Spirit.

Persons
(other than
Distillers or
Rectifiers)
authorized
to make
Methylated
Spirit to pay
for a Licence
for that Pur-
pose.

III. Every Person who shall be authorized by the Commissioners 25 of Inland Revenue to make or mix Methylated Spirit (other than a Distiller or Rectifier of Spirits) shall take out a Licence for that Purpose, and shall pay the Sum of Ten Pounds and Ten Shillings for the Duty thereon; and such Licence and Payment of Duty thereon shall be renewed annually on the First Day of October in every Year, so 30 long as such Person shall continue to be authorized as aforesaid to make or mix Methylated Spirit; and every such Licence shall be granted and renewed in like Manner as other Excise Licences are granted and renewed, and under and subject to the Provisions and Regulations of the Act passed in the Sixth Year of the Reign of King 35 George the Fourth, Chapter Eighty-one.

Places of
mixing to be
approved
and entered,
and Removal
of Articles
for mixing
and of
Methylated

IV. The mixing of Spirit of Wine with Wood Naptha or Methylie Alcohol or any such Article or Substance as aforesaid shall be made only in such Warehouses, Buildings, and Rooms as the said Commissioners shall from Time to Time approve, and of which 40 the Distiller or Rectifier or Person specially licensed as aforesaid, proposing to make such Mixture, shall specially make Entry for that Purpose

Purpose with the proper Officer of Excise; and the Removal of such Spirit of Wine, and of any such Article or Substance as aforesaid, to any such entered Place of mixing, and the Time and Mode of mixing the same, and the Sale, Delivery, and Removal of the Methylated Spirit therefrom, shall be under and subject to such Rules, Regulations, and Restrictions, and with and under such Securities, as the said Commissioners may from Time to Time make, direct, or require in that Behalf.

V. All Wood Naphtha or Methylie Alcohol, or other such Article or Substance as aforesaid, to be mixed with such Spirit of Wine, shall before the mixing thereof be examined by and subject to the Approval of an Officer of Excise appointed in that Behalf; and it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, to provide the Wood Naphtha, Methylie Alcohol, or other such Article or Substance, as aforesaid, for and at the Expense of the Person proposing to make such Mixture.

VI. It shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, to provide Warehouses for the making, mixing, and storing of Methylated Spirit, and also to provide Workmen and Labour requisite in that Behalf, and to charge in respect of all Methylated Spirit made, mixed, or stored in any such Warehouse the Rate of *One Penny* per Gallon per Month, and the like Rate for any fractional Part of a Month, as a Compensation for Warehouse Rent and such Labour as aforesaid.

VII. The proper Officer of Excise shall keep a Stock Account, by Way of Debtor and Creditor, of all Methylated Spirit made by every Maker of such Spirit, and shall in such Account debit the Stock with the Quantity of such Spirit from Time to Time made or added thereto, and shall credit the same with the Quantity from Time to Time duly and legally sent out therefrom; and in the keeping and taking of every such Account all such Methylated Spirit shall be calculated to Proof Gallons and Fractions thereof, and for this Purpose the Strength of such Methylated Spirit as indicated by Sykes's Hydrometer shall be deemed to be the true Strength thereof; and if at any Time the Quantity of Methylated Spirit found in the Stock or Possession of any such Maker shall exceed by a greater Rate than *One* per Centum the Quantity thereof which by the Stock Account so kept by such Officer ought to be in the Stock or Possession of such Maker, computing such Rate of *One* per Centum on the Quantity of Methylated Spirit formed by the Balance left on the last Stock-taking and the Quantity thereof since made and duly added to such Stock, all such excess Quantity of Methylated

Spirit to be made under the Regulations of the Commissioners.

Wood Naphtha, &c. to be inspected by Officer before mixing, and Commissioners may provide same.

Commissioners may provide Warehouses and Labour for mixing and storing Methylated Spirit. Compensation to be paid for same.

A Stock Account to be kept of Methylated Spirit in the Possession of every Maker.

Excess of Stock to be forfeited, and Deficiency to be charged with Duty.

lated Spirit shall be forfeited, and may be seized by any Officer of Excise; and if at any Time the Quantity of Methylated Spirit be found in the Stock or Possession of any such Maker shall be deficient by a greater Rate than *Two* per Centum, calculated as aforesaid, of the Quantity thereof which by such Stock Account ought to be in the Stock or Possession of such Maker, he shall be charged with and shall pay for all such deficient Quantity the Rate of Duty chargeable upon Spirits distilled in that Part of the United Kingdom where such Stock shall be kept.

Methylated Spirit to be delivered only from an entered Place, and accompanied by a Permit.

VIII. No Methylated Spirit shall be sold, sent out, or delivered from any Place other than a Warehouse, Building, or Store-room approved and duly entered as aforesaid for the mixing or storing of such Spirit, or otherwise than in Vessels containing not less than *Ten* Gallons, each distinctly labelled with the Words "Methylated Spirit," and accompanied by a proper Permit or other such Document as the said Commissioners may order or direct to be used to accompany such Spirit on the Removal thereof; and if any Person shall unlawfully or improperly sell, send out, deliver, or remove any Methylated Spirit, contrary to any of the Provisions of this Act, or the Regulations of the said Commissioners to be made in this Behalf, he shall forfeit the Sum of *Fifty Pounds*, and such Methylated Spirit shall be forfeited, and may be seized by any Officer of Excise.

Penalty for unlawful Delivery or Removal, 50*l.*, and Forfeiture of the Spirit.

Persons to be authorized by the Commissioners to receive Duty-free Methylated Spirit for Use in the Arts or Manufactures.

IX. The Commissioners of Inland Revenue shall, by themselves or their Officers, license or authorize such Persons as the said Commissioners shall think fit to receive Methylated Spirit Duty-free, to be used in the several Branches of the Arts or Manufactures carried on by them respectively, and shall provide and deliver to such Persons Forms of Requisition to be used by them in procuring Methylated Spirit from the Makers thereof, and Counterfoils of such Requisitions to be filled up and retained by such licensed or authorized Persons for the Inspection of the Officers of Excise; and every such Requisition shall be accompanied by a Certificate signed by an Officer of Excise to be authorized by the said Commissioners in that Behalf, certifying that the Applicant is a Person so licensed or authorized as aforesaid; and no Methylated Spirit shall be sold or delivered to any Person except upon his delivering to the Maker thereof a Requisition for the same in such Form as shall be supplied to him for that Purpose, together with such Certificate as aforesaid.

Persons authorized to receive Duty-free Methylated Spirit to give

X. Every Person who may be licensed or authorized as aforesaid to receive Duty-free Methylated Spirit under the Provisions of this Act shall enter into a Bond to Her Majesty, with Sureties to the Satisfaction of the Commissioners of Inland Revenue, and in such Sum

Sum and with a Condition in such Form as they shall think fit, as a Security that such licensed or authorized Person will use such Methyated Spirit wholly in the Art or Manufacture specified in such Condition which such Person carries on, and that he will not use the same or any Portion of it for any other Purpose, or sell or dispose of it in any other Manner, and further, that such licensed or authorized Person will with respect to all such Methyated Spirit observe, comply with, and fulfil all the Provisions, Terms, and Conditions of this Act, and the Rules and Regulations which the said Commissioners shall make and issue under the Authority hereof.

XI. All Permits, Certificates, Forms of Requisition, and other Documents to be used under the Provisions of this Act shall be provided in the Manner directed by the Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King William the Fourth, Chapter Sixteen, as to Permits, and by the Act passed in the Session of Parliament holden in the Eleventh and Twelfth Years of Her present Majesty's Reign, Chapter One hundred and twenty-one, as to Certificates, Forms of Requisition, and other such Documents as aforesaid; and all Clauses, Regulations, Pains, Penalties, and Forfeitures contained in or enacted by the said several Acts in relation to Permits and Certificates respectively shall be applied and enforced with respect to the Permits, Certificates, Forms of Requisition, and other Documents to be used under the Provisions of this Act, for the Purpose of preventing, detecting, and punishing all Frauds, Forgeries, and other Offences committed in relation to such last-mentioned Permits and Certificates, and to such Forms of Requisition and other Documents respectively, and for all other Purposes incident to the Use thereof.

XII. Every Person so licensed or authorized as aforesaid to receive Methyated Spirit shall, on ordering the same from the Maker thereof, correctly fill up the Form of Requisition with the proper Quantity to be ordered and other Particulars which may be required by any Regulation of the said Commissioners to be inserted in such Requisition; and he shall also correctly fill up the Counterfoil of such Requisition with all such Particulars as aforesaid, and retain such Counterfoil, and produce and deliver the same to any Officer of Excise who may require to inspect the same, under the Penalty of *Fifty Pounds* for any Neglect, Omission, or Refusal in respect of any Matter or Thing in this Clause enjoined or required to be done.

XIII. It shall be lawful for any Officer of Excise, in the Daytime, to enter and inspect the Premises where Methyated Spirit is or may be used by any Person licensed or authorized as aforesaid to use the same

Security for the proper Use of it in their Manufactures.

Enactments in former Acts as to Permits and Certificates to be applied to Permits, Certificates, &c. under this Act.

Persons ordering Methyated Spirit to fill up Requisition and Counterfoil, and produce the latter to Officer when required.

Officers of Excise may enter Premises where Methyated

Spirit is used,
and inspect,
and take
Samples.

same; and it shall also be lawful for any such Officer to inspect, examine, and take Samples from all such Methylated Spirit as he may there find, paying a reasonable Compensation for such Samples; and if any Person shall refuse to allow such Officer to enter any such Premises, or to make such Inspection or Examination, or to take any such Sample as aforesaid, such Person so refusing shall forfeit the Sum of *Fifty Pounds*.

Commis-
sioners may
revoke Au-
thority to
make or use
Methylated
Spirit, or
Approval of
Places for
making or
storing same.

XIV. Provided always, That it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, at any Time, to revoke their Licence or Authority granted to any Person to make or to receive or use Duty-free Methylated Spirit, under the Provisions of this Act, and also to revoke their Approval of any Warehouse, Building, or Room as a Place for mixing, making, or storing any such Spirit.

Makers not
to supply
Methylated
Spirit to
Persons
whose Au-
thority to
use the same
is revoked.

XV. Provided always, That no Maker of Methylated Spirit shall sell, supply, or deliver any such Spirit to any Person respecting whom Notice in Writing shall have been given to such Maker by any Supervisor or other Superior Officer of Excise, that the Licence or Authority granted to such Person to receive or use Methylated Spirit has been revoked, or that such Person is otherwise disqualified to receive or use such Spirit, notwithstanding that such Person may produce and deliver to such Maker of Methylated Spirit a proper Form of Requisition for such Spirit, accompanied by such Certificate as herein-before mentioned; and if any Maker of Methylated Spirit shall sell, supply, or deliver any such Spirit to or for the Use of any Person respecting whom he shall have received any such Notice as aforesaid, such Maker shall be charged with and shall pay for and upon such Spirit the Rate of Duty chargeable upon Spirits distilled in that Part of the United Kingdom where he shall make Methylated Spirit.

30

Methylated
Spirit found
in the Pos-
session of a
Person not
entitled to
have same,
or in an
unentered
Place, for-
feited, and
Penalty in-
curred.

XVI. No Person, other than a Distiller or Rectifier or licensed Person authorized respectively to make Methylated Spirit, or a Person licensed or authorized, under the Provisions of this Act, to receive and use Methylated Spirit, shall have any such Spirit in his Possession; and if any Methylated Spirit shall be found in the Possession of any Distiller or Rectifier or Person licensed to make such Spirit, otherwise than in a Room or Place duly entered for making, mixing, or storing such Spirit, or if any Methylated Spirit shall be found in the Possession of any Person not licensed or authorized as aforesaid, except on the Removal thereof accompanied by a proper Permit or Certificate in that Behalf, all such Methylated Spirit so found as aforesaid shall be forfeited, and may be seized by any

any Officer of Excise, and the Person in whose Possession the same shall be found shall forfeit the Sum of *One hundred Pounds*.

XVII. This Act shall commence and take effect *on the First Day of October One thousand eight hundred and fifty-five.* Commence-
ment of Act.

Spirit of Wine.

A

B I L L

To allow Spirit of Wine to be used Duty-free in the Arts and Manufactures of the United Kingdom.

(Prepared and brought in by
Mr. Wilson and the Chancellor of the Exchequer.)

*Ordered, by the House of Commons, to be Printed,
7 June 1855.*

[Bill 163.]

Under 1 oz.

19 December 1854. 18 VICT.



(Ireland.)

A

B I L L

TO

Amend an Act of the Eighteenth Year of Her Majesty, to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons, and for the Suppression of illicit Distillation in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS by Clause Eleven of an Act of the Session holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-nine, entitled “An Act to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons, and for the Suppression of illicit Distillation in Ireland,” it is enacted as follows: “From and after the Commencement of this Act, it shall not be lawful for any Officer of Excise in Ireland to grant a Renewal of any such Licence as aforesaid, to any Person applying for such Renewal at and for the same House as shall have been licensed in the Year last immediately preceding, and whose Licence shall not have been withdrawn or annulled, without such Person producing a Certificate, signed by Two Justices of the Peace presiding at the Petty Sessions of the District in which such Person resides, or, if in the Dublin Metropolitan Police District, by a Divisional Justice of the District in which such Person resides, to

Preamble
recites
17 & 18 Vict.
c. 89. s. 11.

5 “Persons, and for the Suppression of illicit Distillation in Ireland,” it is enacted as follows: “From and after the Commencement of this

10 “Act, it shall not be lawful for any Officer of Excise in Ireland to

“grant a Renewal of any such Licence as aforesaid, to any Person

“applying for such Renewal at and for the same House as shall have

“been licensed in the Year last immediately preceding, and whose

“Licence shall not have been withdrawn or annulled, without such

“Person producing a Certificate, signed by Two Justices of the

“Peace presiding at the Petty Sessions of the District in which such

“Person resides, or, if in the Dublin Metropolitan Police District, by a

15 “Divisional Justice of the District in which such Person resides, to

“the

[Bill 8.]

“the good Character of such Person, and to the peaceable and
 “orderly Manner in which such House had been conducted in the
 “past Year.” And whereas it is expedient to repeal so much of the said
 recited Act : Be it enacted by the Queen’s most Excellent Majesty,
 by and with the Advice and Consent of the Lords Spiritual and Tem- 5
 poral, and Commons, in this present Parliament assembled, and by the
 Authority of the same, as follows :

Recited
 Clause re-
 pealed.

I. That the said recited Clause be and the same is hereby
 repealed.

Petty
 Sessions
 may annul
 Spirit
 Licences.

II. From and after the *Commencement of this Act*, it shall be 10
 lawful for any Magistrate or Sub-Inspector of Constabulary in Ireland,
 to apply to the Justices of the Peace in Petty Sessions duly assem-
 bled, for an Order to annul any Licence within the District of such
 Petty Sessions, upon the Grounds of any Person having such Licence
 being a Person of bad Character, or not having kept a peaceable and 15
 orderly House since the last Renewal thereof; and the said Justices
 so assembled, not being less than Two, are hereby authorized and
 empowered, after hearing the Evidence in support of such Appli-
 cation, and the Defence thereto (if any), to annul any such Licence, if
 they shall so think fit, declaring the Ground or Reason for so doing 20
 in their Order: Provided always, that no such Application shall be
 entered into before it shall be proved on Oath that a Notice, signed
 by the Magistrate or Sub-Inspector applying to annul such Licence,
 was served on the Person so licensed, or at his Dwelling House, upon
 his Wife, or his Child aged over Sixteen Years, *Ten Days* at the least 25
 before such Application; provided also, that the said Justices shall
 not be empowered or be at liberty to examine into or adjudicate on
 any other Ground or Reason for annulling such Licence, except such
 as shall be clearly stated in such Notice, with reasonable Certainty
 as to Dates, Places, and Persons; and if any Person whose Licence 30
 shall be so annulled shall at any Time after the making of such
 Order sell any Beer, Spirits, or Cider without having obtained a new
 Licence, such Person (save as herein-after mentioned) shall be
 subject to all the Penalties to which any Person is or may be subject
 for selling Beer, Cider, or Spirits without having obtained a Licence 35
 for that Purpose.

Appeal to
 Quarter
 Sessions.

III. If any Person whose Licence shall be so annulled shall feel
 aggrieved by such Order, it shall be lawful for such Person to appeal
 against the same to the Court of Quarter Sessions, in like Manner
 and subject to the like Incidents as to Costs or otherwise, as nearly 40
 as may be, as if such Order were named and included in the “ Sum-
 mary Jurisdiction (Ireland) Act, 1851,” as an Order from which an
 Appeal

Appeal is given by that Act; and upon such Person having *bonâ fide* lodged such Appeal against such Order, the Licence affected thereby shall, notwithstanding any thing herein or in the said recited Act contained, remain in full Force and Effect, unless and until the Court
5 of Quarter Sessions shall confirm the said Order.

Spirits.

(Ireland.)

A

B I L L

To amend an Act of the Eighteenth Year of Her Majesty, to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons, and for the Suppression of illicit Distillation in Ireland.

(Prepared and brought in by
Mr. Vincent Scully, Mr. Loftus H. Blund, and
Mr. W. H. F. Cogan.)

*Ordered, by The House of Commons, to be Printed,
19 December 1854.*

[Bill 8.]

Under 1 oz.

7 June 1854. 18 VICT.



(Ireland.)

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend an Act of the Eighteenth Year of Her Majesty, to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in Ireland.

[Note.—*The Clauses marked A. and B. were added in Committee.*]

WHEREAS an Act was passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her Majesty, Chapter Eighty-nine, entitled “An Act to amend
 5 “ the Laws for the better Prevention of the Sale of Spirits by un-
 “ licensed Persons and for the Suppression of illicit Distillation in
 “ Ireland,” and it is expedient to amend the same: Be it enacted
 by the Queen’s most Excellent Majesty, by and with the Advice
 and Consent of the Lords Spiritual and Temporal, and Commons,
 in this present Parliament assembled, and by the Authority of the
 10 same, as follows :

Preamble
 recites
 17 & 18 Vict.
 c. 89. s. 11.

I. If any Person shall apply for and be refused the Certificate in the said Act mentioned, to entitle such Person to obtain a Renewal of a Licence to sell Beer, Cider, or Spirituous Liquors in Ireland, the Justices at Petty Sessions, or the Divisional Justices, as the Case may

[Bill 160.]

A

be,

CLAUSE A.
 Justices
 refusing Cer-
 tificate to
 make Entry
 of Order.

be, after first hearing the Evidence, if any, against such Application, and then what shall be offered in support thereof, shall, in the event of thereupon refusing such Application, make an Order accordingly, and cause an Entry thereof to be made by the Clerk, together with the Grounds of Refusal, in like Manner as the Justices assembled at 5 Quarter Sessions are required to do by an Act passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail in Ireland."

CLAUSE B.
Power of
Appeal to
Quarter
Sessions.

II. In case any Person shall feel aggrieved by such Order of 10 Refusal, it shall be lawful for such Person to appeal against the same to the Assistant Barrister or Chairman of Quarter Sessions sitting in the Division within which such Person shall reside, or if in the Dublin Metropolitan Police District to the Recorder of the City of Dublin at the next Quarter Sessions after such Order, but in case there shall 15 not be Fifteen clear Days between the making of the Order and such next Quarter Sessions, then to the Quarter Sessions next following in such Division or City, as the Case may be; and in such Appeal the Party opposing such Application shall be Respondent, and no other Ground for refusing such Certificate shall be entered upon except 20 such as shall be stated in such Order of Refusal; and such Appeal shall be subject to the like Incidents, and be heard and dealt with by such Assistant Barrister, Chairman, or Recorder in like Manner, as an Appeal from an Order of the Justices at Petty Sessions under the "Petty Sessions, Ireland, Act, 1851," save that the Recognizance to be 25 entered into shall be in the Form to this Act annexed: Provided always, that upon such Person having lodged such Appeal, and entered into the Recognizance, as directed by this Act, the Licence affected by such Order shall remain in full Force and Effect, unless and until such Assistant Barrister, Chairman, or Recorder shall 30 confirm the said Order of Refusal; and such Appeal shall not be dismissed upon any Point of Form: Provided, that, notwithstanding anything herein contained, any Licence may be withdrawn or annulled under the Provisions of any Act or Acts now in force, other than the said first-mentioned Act.

FORM OF RECOGNIZANCE.

A.B. Appellant. } Petty Sessions District of
C.D. Respondent. } County of or Dublin Metropolitan
 Police District of

WHEREAS the Justices [*or, if in the City of Dublin, A.B., Divisional Justice,*] on the Day of 18 made an Order refusing to grant to the Appellant a Certificate to entitle him [*her*] to obtain a Renewal of a Licence to sell Beer, Cider, or Spirituous Liquors (*as the Case may be*), upon the Grounds that [*state Grounds mentioned in the Order*]:

The undersigned principal Party to this Recognizance hereby binds himself [*herself*] to perform the following Obligation, that is to say, to prosecute his [*her*] Appeal at the Quarter Sessions to be held at , and to pay such Costs as the Assistant Barrister (Chairman, *or* Recorder,) shall order or direct; and the said principal Party, together with the undersigned Sureties, hereby severally acknowledge themselves bound to forfeit to the Crown the Sums following, that is to say, the said principal Party Five Pounds, and the undersigned Sureties the Sum of Fifty Shillings each, in case the principal Party fails to perform his [*her*] Obligation.

(Signed) *A.B.* (Principal Party).
 E.F. }
 G.H. } (Sureties).

Taken before me, this Day of
 18 at .
 (Signed) *Y.Z.* (Justice *or* Divisional Justice).

Spirits (Ireland) Act Amendment.

A

B I L L

[AS AMENDED IN COMMITTEE]

To amend an Act of the Eighteenth Year of Her Majesty, to amend the Laws for the better Prevention of the Sale of Spirits by unlicensed Persons and for the Suppression of illicit Distillation in Ireland.

(Prepared and brought in by
*Mr. Vincent Scully, Mr. Loftus H. Bland, and
Mr. W. H. F. Cogran.*)

*Ordered, by The House of Commons, to be Printed,
7 June 1855.*

[Bill 160.]
Under 1 oz.

6 July 1855. 18 & 19 VICT.



A

B I L L

TO

Reduce certain Duties payable on Stage Carriages,
and to amend the Stamp Acts.

WHEREAS by an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty's Reign, Chapter Seventy-nine, certain Duties contained in a Schedule to the said Act were granted and made payable, and amongst others the following Duties on Stage Carriages in Great Britain, (that is to say,) for and in respect of every Mile which any Stage Carriage shall be licensed to travel the Duty of One Penny Halfpenny, and for and in respect of every such supplementary Licence for a Stage Carriage as described in the said Schedule the Duty of Five Shillings; and it is expedient to reduce the said Duties as herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preamble.
5 & 6 Vict.
c. 79.

15 I. From and after the First Day of July One thousand eight hundred and fifty-five, there shall be charged and payable to Her Majesty, Her Heirs and Successors, the following reduced Duties on
[Bill 232.]

Duties on
Stage Car-
riages and
Supplemen-
tary Licences
reduced.

Stage Carriages in Great Britain; (that is to say,) for and in respect of every Mile which any Stage Carriage shall be licensed to travel *One Penny*, and for and in respect of every such supplementary Licence as aforesaid the Duty of *One Shilling*, in lieu of the Duties granted in the like Cases by the said recited Act: Provided always, 5 that nothing herein contained shall extend to reduce or affect any Duty which shall accrue or be incurred on or before *the said First Day of July*.

Reduced
Duties to be
raised, &c.
under exist-
ing Powers.

II. The said Duties by this Act granted and made payable shall be raised, levied, collected, and paid in like Manner, and by and under 10 the like Powers and Authorities, Rules and Regulations, as the said Duties granted by the said recited Act are now raised, levied, collected, and paid under or by virtue of any Act or Acts in force.

Section 12
of 2 & 3 W. 4.
c. 120. re-
pealed.

III. From and after the *passing of this Act*, Section Twelve of the Act passed in the Second and Third Years of the Reign of His late 15 Majesty King William the Fourth, Chapter One hundred and twenty, whereby the Commissioners are authorized to compound with any Person for the Duties which may become payable in respect of any Stage Carriage, shall be and the same is hereby repealed.

Paper for
Covers or
Envelopes of
Letters pro-
vided by
any Person
may be
stamped
with Post-
age Stamps.

IV. And whereas, by certain Acts passed in that Behalf, the Com- 20 missioners of Inland Revenue are directed to provide Stamps for denoting the several Rates of Postage of Letters on Paper provided by the said Commissioners for the Covers or Envelopes of Letters, and it is expedient to provide for the stamping with such Stamps Paper which any Person may send to the said Commissioners for that 25 Purpose: Be it enacted, That it shall be lawful for the Commissioners of Inland Revenue and they are hereby empowered, under such Regulations as the Commissioners of Her Majesty's Treasury may from Time to Time make or sanction in that Behalf, to stamp Paper which any Person may send to the said first-named Commis- 30 sioners for the Purpose of being stamped for Covers or Envelopes of Letters with Stamps provided for denoting the several Rates of Postage, on Payment of the Amount of the Stamps required to be impressed on such Paper, and in Cases where such Amount shall not exceed *Ten Pounds* upon Payment in addition thereto of such 35 Fee as the said Commissioners of Her Majesty's Treasury may direct or authorize to be taken in such Cases.

Prize Money
Orders to be
chargeable
with the
same Duties
as Inland
Bills.

V. And whereas under and by virtue of Two several Acts passed respectively, the one in the Second and Third Years of the Reign of His said late Majesty King William the Fourth, Chapter Fifty-three, 40 and the other in the Third and Fourth Years of the said King's Reign,

Reign, Chapter Twenty-nine, a Stamp Duty of One Shilling is payable upon Orders made for the Payment of Prize Money, or Bounty Money, or Money upon Grants due to Non-commissioned Officers and Soldiers, and it is expedient in lieu thereof to subject such Orders
5 to the Stamp Duties chargeable on Inland Bills, Drafts, or Orders :
Be it enacted, That the Stamp Duty of *One Shilling* payable under the said Two last-mentioned Acts on Orders made for the Payment of Prize Money, or Bounty Money, or Money upon Grants due to Non-commissioned Officers and Soldiers shall cease, and in lieu thereof all
10 such Orders shall be subject and liable to the like Stamp Duties as Inland Bills, Drafts, or Orders for the Payment of Money of the same Amount and of the like Tenor or Effect are now by Law subject and liable to.

VI. And whereas certain specific Exemptions from Stamp Duty
15 are granted by Section Eight of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His said late Majesty King William the Fourth, Chapter Thirty-two, to or in favour of Benefit Building Societies formed or established, or whose Rules are or may be certified under or in pursuance
20 of the said Act, and by Section Four of the same Act the Provisions of certain Acts then in force relating to Friendly Societies are made to extend and apply to Benefit Building Societies, and by reason thereof it has been held and determined that certain other Exemptions from Stamp Duty granted to or in favour of Friendly Societies extend
25 also to Benefit Building Societies : And whereas it is expedient to limit and restrict the said Exemptions, so far as regards Benefit Building Societies in the Manner herein-after mentioned : Be it therefore enacted, That no Exemption from Stamp Duty contained in or granted by any Act relating to Friendly Societies, nor any other
30 Exemption from Stamp Duty than such as is contained in Section Eight of the said Act of the Sixth and Seventh Years of the Reign of King William the Fourth, shall be deemed to extend to any Form of Assurance, or any Conveyance, Mortgage, Transfer, Agreement, Bond, or other Instrument, made after the passing of this Act to or
35 on behalf of any Benefit Building Society by any Member of such Society to whom any Sum or Sums exceeding in the whole the Sum of *Two hundred and forty Pounds* shall be advanced by such Society, except such Deeds or Instruments as may be made on behalf of a Member of such Society admitted before the passing of this Act
40 in pursuance of Engagements made between such Member and the said Society before that Date.

Exemptions from Stamp Duty on behalf of Building Societies limited to those in the Building Societies Act.

Stage Carriage Duties, &c.

A

BILL

To reduce certain Duties payable on
Stage Carriages; and to amend the
Stamp Acts.

(Prepared and brought in by
Mr. FitzRoy, the Chancellor of the Exchequer,
and Mr. Wilson.)

*Ordered, by The House of Commons, to be Printed,
6 July 1855.*

[Bill 232.]

Under 1 oz.

23 April 1855. 18 VICT.



A

B I L L

FOR

Granting Stamp Duties on certain Drafts on Bankers.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the
 5 Supplies to defray the Expenses of the just and necessary War in which Your Majesty is engaged, have freely and voluntarily resolved to give and grant unto Your Majesty Stamp Duties in respect of the Drafts or Orders for the Payment of Money herein-after described; and do therefore most humbly beseech Your Majesty that it may be
 10 enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. From and after the *passing of this Act*, all Drafts or Orders for
 15 the Payment of any Sum of Money to the Bearer on Demand, which being drawn upon any Banker or any Person or Persons acting as a Banker, and residing or transacting the Business of a Banker within Fifteen Miles of the Place where such Drafts or Orders are issued, are now exempt from Stamp Duty, shall be chargeable with the
 20 Stamp Duty of *One Penny* for every such Draft or Order.

[Bill 85.]

II. The

The new Duties by this Act granted to be denominated Stamp Duties, and to be under the Care of Commissioners of Inland Revenue.

Powers and Provisions of former Acts to be in force.

II. The said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances and Exemptions, Fines, Forfeitures, Pains, and Penalties, 5 contained in or imposed by any Act or Acts, or any Schedule thereto, relating to any Duties of the same Kind or Description heretofore payable in Great Britain and Ireland respectively, and in force at the Time of the passing of this Act, shall respectively be in full Force and Effect with respect to the Duties by this Act granted, and to the 10 Vellum, Parchment, and Paper Instruments, Matters, and Things charged and chargeable therewith, and to the Persons liable to the Payment of the said Duties, so far as the same are or shall be applicable, in all Cases not hereby expressly provided for, and shall be observed, applied, allowed, enforced, and put in execution for and in the 15 raising, raising, levying, collecting, and securing of the said Duties hereby granted, and otherwise in relation thereto, as fully and effectually, to all Intents and Purposes, as if the same had been herein repealed and specially enacted, *mutatis mutandis*, with reference to the said Duties by this Act granted. 20

Duties may be denoted by adhesive Stamps.

III. The Duties by this Act granted on such Drafts or Orders as aforesaid may be denoted by adhesive Stamps, to be provided by the Commissioners of Inland Revenue for that Purpose, and to be affixed to such Drafts or Orders, and cancelled in the Manner directed in that Behalf by an Act passed in the Session of Parliament holden in 25 the Sixteenth and Seventeenth Years of Her Majesty's Reign, Chapter Fifty-nine, with respect to other Drafts or Orders for Payment of Money to the Bearer on Demand.

A

BILL

For granting Stamp Duties on certain
Drafts on Bankers.

(Prepared and brought in by
Mr. FitzRoy, The Chancellor of the Exchequer, and
Mr. Wilson.)

*Ordered, by The House of Commons, to be Printed,
23 April 1855.*

[Bill 85.]

Under 1 oz.

5 June 1855. 18 VICT.



A

B I L L

TO

Repeal the Stamp Duties payable on Matriculation
and Degrees in the University of Oxford.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

WHEREAS by an Act passed in the last Session of Parlia-
ment (Chapter Eighty-one) “to make further Provision for
“ the good Government and Extension of the University
“ of Oxford, of the Colleges therein, and of the College of Saint
“ Mary Winchester,” it was enacted, that the Stamp Duties then
5 payable on Matriculations and Degrees should be abolished so soon
as Provision should have been made by the University, to the Satis-
faction of the Commissioners of Her Majesty’s Treasury, in lieu of the
Monies theretofore voted annually by Parliament: And whereas by a
10 Statute of the said University, adopted by Convocation on the
Thirty-first Day of May One thousand eight hundred and fifty-five,
Provision has been made for the Payment out of the University Chest
of the Salaries and Allowances to certain Professors of the said Uni-
versity, mentioned in the Schedule to this Act (being the same Salaries
15 and Allowances as were theretofore annually voted by Parliament to
the same Professors,) and the Commissioners of Her Majesty’s Treas-
ury are satisfied that such Statute is a due Provision in lieu of the
Monies theretofore voted annually by Parliament, as intended by said
Act: Be it enacted by the Queen’s most Excellent Majesty, by
20 and with the Advice and Consent of the Lords Spiritual and
[Bill 155.] Temporal,

Preamble.
17 & 18 Vict.
c. 81.
s. 46.

2 *Stamp Duties Repeal on Matriculation and Degrees (Oxford).*

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Stamp Duties
on Matricu-
lation and
Degrees in
Oxford
repealed.

I. All Stamp Duties payable under the Act of the Fifty-fifth Year of King George the Third, Chapter One hundred and eighty-four, or under any other Act of Parliament, on the Admission or Matricula- 5 tion of any Person in the said University of Oxford, and on the Admission of any Person to any Degree in the said University (whether conferred in the ordinary Course of the University or otherwise), or for the Registry or Entry of any such Admission, shall from and after the *said Thirty-first Day of May* cease to be payable.

10

Salaries
made payable
out of the
University
Chest not to
be discon-
tinued with-
out Consent
of the Trea-
sury.

II. No Salary or Allowance payable under the said Statute of the said University to any Professor mentioned in the Schedule to this Act shall be discontinued or reduced without the Consent of the Commissioners of Her Majesty's Treasury.

SCHEDULE.

	£
To the Professor of Mineralogy	100
To the Professor of Geology	100
To the Professor of Experimental Philosophy	100
To the Professor of Chemistry	100
To the Professor of Modern History	371
To the Professor of Botany	182

Stamp Duties Repeal on
Matriculation and Degrees
(Oxford).

A

B I L L

To repeal the Stamp Duties payable on
Matriculation and Degrees in the
University of Oxford.

*(Prepared and brought in by
The Chancellor of the Exchequer and Mr. Wilson.)*

*Ordered, by The House of Commons, to be Printed,
5 June 1855.*

[Bill 155.]
Under 1 oz.

22 June 1855. 18 & 19 VICT.



A

B I L L

TO

Continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.

[Note.—The Words printed in *Italics*, are proposed to be inserted in Committee.]

WHEREAS an Act was passed in the Fourth Year of the Preamble.
Reign of Her present Majesty, intituled “An Act to 3 & 4 Vict.
“exempt until the Thirty-first Day of December One c. 89.
“thousand eight hundred and forty-one Inhabitants of Parishes,
5 “Townships, and Villages from Liability to be rated as such in
“respect of Stock in Trade or other Property to the Relief of the
“Poor:” And whereas the said Act has been since continued by
sundry Acts until the First Day of October in the Year One thousand
10 of Parliament; and it is expedient that the said Act should be further
continued: Be it enacted by the Queen’s most Excellent Majesty, by
and with the Advice and Consent of the Lords Spiritual and Temporal,
and Commons, in this present Parliament assembled, and by the
Authority of the same, That the said Act shall continue in force
15 until the *First Day of October in the Year One thousand eight*
hundred and fifty-six. Recited Act further con-
tinued.

Stock in Trade.

A

BILL

To continue the Exemption of Inhabitants from Liability to be rated as such in respect of Stock in Trade or other Property to the Relief of the Poor.

(Prepared and brought in by
Mr. Cooper and Sir George Grey.)

Ordered, by The House of Commons, to be Printed,
22 June 1855.

[Bill 193.]
Under 1 oz.

17 April 1855. 18 VICT.



A

B I L L

TO

Prevent trading on Sunday within the Metropolitan Police District and City of London and Liberties thereof.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS the Practice of Sunday Trading is carried on to Preamble.
a great Extent within the Metropolitan Police District
and the City of London and Liberties thereof, and it is
expedient that further Provision should be made for restraining and
5 preventing the same: Be it therefore enacted by the Queen's most
Excellent Majesty, by and with the Advice and Consent of the Lords
Spiritual and Temporal, and Commons, in this present Parliament
assembled, and by the Authority of the same, as follows:

I. Any Person who shall on Sunday within the Metropolitan Penalties for
10 Police District or within the City of London or Liberties thereof sell, selling, offer-
offer, or expose for Sale, or cause to be sold, offered, or exposed for ing, or ex-
Sale, any Goods, Chattels, Effects, or Things whatsoever, shall, on posing for
summary Conviction thereof before a Justice of the Peace, forfeit Sale any
and pay a Penalty of *Five Shillings*; and if any Person, having been Goods, &c.
15 so convicted, shall afterwards be guilty of any of the Offences before
mentioned, and shall be convicted thereof in like Manner, he shall for
every such subsequent Offence forfeit and pay such Penalty, not
[Bill 79.] A exceeding

exceeding *Forty Shillings* nor less than *Five Shillings*, as shall be adjudged by such Justice.

Provisions
as to distinct
and separate
Affairs.

II. Every Sale, or Offer or Exposure for Sale, which may take place or be made on one and the same Day, shall be deemed a distinct and separate Offence against the Provisions of this Act; but no Person 5 who shall be convicted for the First Time of having offended against any of the Provisions of this Act shall be liable to any Penalty under this Act for any other Offence committed on the same Day.

Certain
Cases to
which this
Act does not
apply.

III. The Provisions of this Act shall not extend or apply—

To the selling, offering, or exposing for Sale of any Medicine, Drug, 10 or other Article for Medicinal Purposes:

Nor to the selling, hawking, crying, offering, or exposing for Sale of any Milk or Cream before the Hour of *Nine* in the Morning or after the Hour of *One* in the Afternoon:

Nor to the selling, offering, or exposing for Sale any Newspaper 15 or other periodical Paper after *Ten* o'Clock in the Morning:

Nor to the selling, offering, or exposing for Sale of any Fruit, cooked or prepared Victuals, or any Beverage, not being Wine, Spirits, Beer, or other exciseable Liquor, before the Hour of *Ten* in the Morning and after *One* in the Afternoon: 20

Nor to the selling, offering, or exposing for Sale for Human Food of any Meat, Poultry, Fish, Game, or Wild Fowl before the Hour of *Nine* in the Morning, from the *Thirty-first Day of May* to the *First Day of October* in each Year:

Nor to the Exercise of the ordinary Business of a Licensed Victualler, 25 or the Keeper of any Inn, Tavern, Hotel, Public House, or other House licensed for the Sale of exciseable Liquors.

Penalty on
Butchers,
&c. deliver-
ing Meat, &c.

IV. Any Butcher, or Dealer in Meat, Fish, Poultry, Game, or Wild Fowl, within the Metropolitan Police District or the City of London and Liberties thereof, who shall on Sunday after the Hour 30 of *Nine* in the Morning deliver or cause to be delivered any Meat, Fish, Poultry, Game, or Wild Fowl at the Residence of or at any other Place for the Purchaser thereof, shall, on summary Conviction thereof before a Justice of the Peace, be liable to the same Penalties for the First and each subsequent Offence as are herein-before enacted 35 for selling Goods on Sunday.

Penalty on
Barbers
or Hair-
dressers.

V. Any Barber or Hairdresser who shall within the Metropolitan Police District or the City of London or the Liberties thereof, after the Hour of *Ten* in the Morning on Sunday, open or keep open his Shop, or do or exercise the Work of his ordinary Calling, shall, on 40 summary Conviction thereof before a Justice of the Peace, be liable to

to forfeit and pay a Penalty of *Five Shillings*; and if any such Person having been so convicted, shall afterwards be guilty of the like Offence, and shall be convicted thereof in like Manner, he shall for each subsequent Offence be liable to such Penalty, not exceeding *Twenty*
 5 *Shillings* nor less than *Five Shillings*, as shall be adjudged by such Justice; but no Barber or Hairdresser who shall be so convicted shall be liable to any further Penalty under this Act for opening or keeping open his Shop or carrying on the Work of his ordinary calling on One and the same Day.

10 VI. No Servant who shall act in violation of this Act, by or under the Authority or Direction of his Employer (the Proof whereof shall lie upon such Servant), shall be liable to any Penalty under this Act, but in every such Case the Person by or under whose Authority or Direction such Servant shall so have acted shall be deemed to
 15 have himself offended against this Act, and be punishable accordingly.

Saving Servants from the Operation of this Act.

VII. It shall be lawful for all Police Constables acting within the Metropolitan Police District or the City of London and Liberties thereof, and they are hereby required, to enforce the Provisions of this Act.

Police Constables to enforce the Provisions of this Act.

20 VIII. In all Cases in which it shall be necessary to prove any previous Conviction against any Person under this Act, a Certificate containing the Substance and Effect only (omitting the formal Part) of the Record of the Conviction of the previous Offence, purporting to be signed by the proper Officer having the Custody of such Record
 25 of Conviction, or a Certificate of such previous Conviction, purporting to be signed by the Person who shall have acted as Clerk to the Justice before whom such previous Conviction shall have taken place, shall, upon Proof of the Identity of the Person of the Offender, be sufficient Evidence of the previous Conviction, without Proof of the
 30 Signature or official Character of the Person appearing to have signed the same; and if any Person whatsoever shall wilfully and knowingly utter a false Certificate of a Conviction for a previous Offence against this Act, or if any Person, other than such proper Officer or Person acting as such Clerk, shall sign such Certificate as such proper Officer
 35 or Person acting as Clerk, every Person so offending shall be guilty of a Misdemeanor, and being convicted thereof shall be liable to Imprisonment, with or without Hard Labour, for any Period not exceeding *Six Months*.

Proof of previous Conviction.

Uttering a false Certificate of previous Conviction a Misdemeanor.

IX. If any Person convicted under this Act shall be adjudged to
 40 pay any Penalty, or any Costs and Charges attending the Conviction, and shall fail to pay such Penalty or Costs, the same may be levied

Penalties and Costs may be levied by Distress.

Imprison-
ment in
default of
Payment.

by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the convicting Justice; and in default of sufficient Distress it shall be lawful for any Justice of the Peace to commit him to some Common Gaol or House of Correction within his Jurisdiction for any Time not exceeding *Fourteen Days*: 5
Provided always, that if any Person shall be committed to Prison for Default of Payment of any Penalty and Costs, then the Costs alone may be levied by Distress as aforesaid.

Appropriation of Penalties.

X. All Penalties or Sums of Money ordered and adjudged within the Metropolitan Police District to be paid under this Act, and not 10
otherwise appropriated, shall be payable to the Receiver of the Metropolitan Police District, in aid of the Expenses of the Metropolitan Police; and all Penalties or Sums of Money ordered and adjudged within the City of London or Liberties thereof to be paid under this Act, and not otherwise appropriated, shall be payable to the Cham- 15
berlain of the City of London, in aid of the Expenses of the Police of this City.

Limitation of Proceedings.

XI. All Prosecutions for Offences punishable by this Act shall be commenced within *Seven Days* next after the Commission of the Offence, and not afterwards. 20

Informations not to be quashed for Want of Form.

XII. No Information, Conviction, or other Proceedings had or taken under the Provisions of this Act shall be quashed or set aside, or adjudged void or insufficient, for Want of Form, or be removed by Certiorari into Her Majesty's Court of Queen's Bench.

Distress not unlawful for Want of Form.

XIII. When any Distress shall be made for any Money to be 25
levied by virtue of the Warrant of any Justice under this Act, the Distress shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser on account of any Defect or Want of Form in the Information, Summons, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a 30
Trespasser from the Beginning on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action on the Case in any of Her Majesty's Courts of Record. 35

Tender of Amends.

XIV. No Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceedings made or committed in the Execution of this Act, or under or by virtue of any Authority hereby given, if Tender of sufficient Amends shall have been made, by or on behalf of the Party who shall have committed such Irregularity, 40
Trespass,

Trespass, or other wrongful Proceeding, before such Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into
5 Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

XV. No Action, Suit, or Information, or any other Proceeding, Limitation of Actions.
10 of what Nature soever, shall be brought against any Person, for anything done or omitted to be done in pursuance of this Act, or in the Execution of the Authorities under this Act, unless Notice in Writing shall be given by the Party intending to prosecute such Suit, Information, or other Proceeding, to the intended Defendant, *One*
15 *Calendar Month* at least before prosecuting the same, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within *Three Calendar Months* next after the Act or Omission complained of, or in case there shall be a Continuation of Damage, then within *Three Calendar Months* next after the doing
20 such Damage shall have ceased.

XVI. This Act shall commence and come into operation on the Commencement of Act.
First Day of November One thousand eight hundred and fifty-five.

Sunday Trading (Metropolis).

^

B I L L

To prevent trading on Sunday within the Metropolitan Police District and City of London and the Liberties thereof.

(Prepared and brought in by
Lord Robert Grosvenor, Viscount Ebury, and
Mr. Montague Chambers.)

Ordered, by The House of Commons, to be Printed,
17 April 1855.

[Bill 79.]

Under 1 oz.

2 March 1855. 18 VICT.



A

B I L L

TO

Suspend the Decline of the Customs Duties on
Tea from and after the Fifth Day of April One
thousand eight hundred and fifty-five.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

BE it enacted by the Queen's most Excellent Majesty, by and
with the Advice and Consent of the Lords Spiritual and
Temporal, and Commons, in this present Parliament assem-
bled and by the Authority of the same, as follows:

- 5 I. In lieu of the several Duties of Customs made payable on Tea
by the Act of the Sixteenth and Seventeenth Years of the Reign of
Her present Majesty, Chapter One hundred and six, there shall be
raised, levied, collected, and paid unto Her Majesty, Her Heirs and
Successors, the following Duties thereon; that is to say,
- 10 From and after the passing of this Act until the Expiration *s. d.*
of Twelve Months from the Fifth Day of April inclusive,
which shall first happen after the Date of a definitive
Treaty of Peace with Russia - - - the lb. *1 6*
From thence until the Expiration of the ensuing Twelve
Months - - - - - the lb. *1 3*
15 And thenceafter - - - - - the lb. *1 0*

Without any Allowance for Draft.
[Bill 50.] II. In

II. In citing this Act in other Acts or legal Instruments it shall be sufficient to use the Expression "The Tea Duties Decline Suspension Act, 1855."

Bill 50

Tenants Improvements Compensation (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

- Glossary ; Sect. 1.
- Short Title of Act ; 2.
- Persons entitled to improve under this Act ; 3.
- Classes of Improvements. Compensation not to be allowed in certain Cases ; 4.
- A Notice of intended Improvements to be served on Landlord ; 5.
- Landlord or Owner may undertake to execute the Improvements ; 6.
- When Notice shall not have been served, Tenant may commence his Improvements ; 7.
- Tenant having executed Improvements, to make a Declaration ; 8.
- Declaration to be conclusive Evidence that the Act has been complied with ; 9.
- Recovery of Compensation in case of Eviction ; 10.
- For Recovery of Amount claimed by Tenant ; 11.
- Landlord's Grounds of Defence to Tenants Claim under this Act ; 12.
- Landlord may set off Cross Demands ; 13.
- Tenant to be entitled to Compensation for Improvements made before the passing of this Act if evicted ; 14.
- Tenant, on giving up Possession, entitled to Remuneration ; 15.
- In cases of Action for Ejectment where registered Claim for Compensation subsists ; 16.
- If Landlord, after the Time when the Tenant could commence Improvements, and before the Registration of the Declaration shall proceed to evict Tenant, such Tenant may proceed by Civil Bill Process against such Landlord for Compensation ; 17.
- Persons enabled to make Leases ; 18.
- Legal Incapacity or Disability of Person having Power to lease ; 19.
- Periods for which Leases may be made ; 20.
- Leases to be in possession ; 21.
- General Covenants and Conditions ; 22.
- Agricultural Covenants ; 23.
- Improvement Covenants ; 24.

- Mining Covenants ; 25.
Building Covenants ; 26.
Lessee punishable for certain Waste ; 27.
Partial Re-entry ; 28.
Best Rent to be reserved ; 29.
Rents and Covenants to enure to Parties entitled to Land ; 30.
Lease to be by Indenture ; 31.
Stamp Duty ; 32.
Leases made pursuant to Act to bind all Persons deriving under same Title or Settlement ; 33.
Provision for any accidental Defect of Powers ; 34.
Informal Lease to be valid as a Contract ; 35.
Successor may confirm without Variation ; 36.
Partial Confirmation ; 37.
Invalid Lease validated by subsequent Accrual of Title ; 38.
General Lease validated by co-existing Power ; 39.
Remedy on Covenants preserved ; 40.
Partial Owner may enter into Agreement for Compensation of Improvements ; 41.
Improvements removable and separable from the Soil to be the Property of Tenant ; 42.
Improvements inseparable from the Soil to be compensated in Money or by Occupation ; 43.
Statutory Limit within which by voluntary Agreement with Tenant the Estate may be burdened ; 44.
Limit of the Amount of Allowance ; 45.
Specification of the Nature and Cost of proposed Works ; 46.
Consents to be procured in certain Cases ; 47.
Agreements to be binding on all Persons ; 48.
Copy of Agreement to be lodged and registered with Clerk of the Peace ; 49.
Certificate of Completion to be obtained within Three Years ; 50.
Security against imperfect Works ; 51.
Appeal to Judge of Assize ; 52.
Certificate not to be registered pending Appeal ; 53.
Certificate to be final ; 54.
Recovery of Compensation by Civil Bill or Action ; 55.
If Tenant is evicted after lodging a Specification, he may sue his his Landlord by Civil Bill Process ; with Power to either Party to appeal ; 56.

Landlord's

Landlord's Grounds of Defence to Tenant's Claim under this Act ; 57.

Landlord may set off Cross Demands ; 58.

Assistant Barrister may direct a Reference as to Questions of Fact ; 59.

Assistant Barristers to settle Schedule of Fees and Costs ; 60.

Forms to be provided by the Clerk of the Peace ; 61.

Penalty for Neglect of Duty in Clerk of Peace ; 62.

Repeal of former Acts ; 63.

Schedules Part of the Act ; 64.

Not to affect Custom relating to outgoing or incoming Tenants ; 65.

To come into operation on the ; 66.

Act only to extend to Ireland ; 67.

23 February 1855. 18 VICT.



(Ireland.)

A

B I L L

TO

Provide Compensation for Improving Tenants and
to consolidate and amend the Laws relating to
Leasing Powers in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

WHEREAS it has long been the Practice in Ireland that Preamble.
Lands are let to the Tenants occupying the same on
determinable Tenures, or from Year to Year, without
written Agreement, and without any suitable Farm Houses, Farm
5 Buildings, or other necessary Conveniences for residing on and culti-
vating the said Lands, or any sufficient Allowance given or engaged
to be given in consideration thereof, or of any Expenditure necessary
or proper to be incurred for draining or otherwise improving the Soil,
or for erecting the necessary Adjuncts to a Farm, without which in
10 England and Scotland no Tenant would be found to rent it; and it
would tend to the Improvement and better Cultivation of the Land if
Provision were made by the Law for securing to Tenants the proper
Benefit of Expenditure, either in Capital or Labour, made by them
on the Land in their lawful Possession; and it is likewise expedient to
15 consolidate and amend the Laws relating to the Power of leasing
Lands, Tenements, and Hereditaments in Ireland by Persons having
partial or limited Interests in the same, or being under legal Inca-
pacity or Disability, so as to render the said Powers more uniform and
[Bill 39.] A generally

generally understood, and more extensive, and beneficial to the Community at large, and more conducive to the Development of the Agricultural, Mineral, and Commercial Resources of the Country, and that Persons having such partial and limited Interests as aforesaid should be enabled to enter into Agreements binding the Inheritance, 5 and entitling the Tenants thereof, in certain Cases, to Compensation for the Execution of suitable Improvements thereon: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority 10 of the same, as follows:

Glossary.

I. In the Construction of this Act the following Words and Expressions shall have the Force and Meaning hereby assigned to them, unless there be something in the Subject or the Context repugnant thereto:

- "Person:" The Word "Person" or "Party" shall extend to and include any Body Politic, Corporate, or Collegiate, whether aggregate or sole, or any public Company, as well as a private Individual: 15
- "Landlord:" The Word "Landlord" shall be construed to mean the Person or Party for the Time being entitled to a vested Right to the Possession of his Tenant's Land immediately on the Determination of such Tenant's Interest, the Person or Party in the Receipt of the Rent payable by such Tenant (including a Receiver appointed by the Court of Chancery) being deemed to be rightfully entitled to such vested Right, and shall include the Person or 25 Party entitled as aforesaid at the Time of the Determination of a Tenancy, and shall also include the Person equitably entitled to and in receipt of the Rents and Profits, whether the Interest of such Landlord (legal or equitable) shall have been acquired by original Contract, lawful Assignment, Devise, Bequest, or Act 30 or Operation of Law:
- "Tenant:" The Word "Tenant," unless otherwise restricted, shall be construed to mean a Person or Party in the actual and lawful Occupation of Land let for Pasture or Cultivation, and which shall not have been let for One or Two Seasons only, or for 35 a special or temporary Purpose, but shall be held by such Person or Party as Tenant from Year to Year, or for a Term of Years, absolute or determinable on the dropping of a Life or Lives, or for a Term of Life or Lives, and shall include the lawful Representatives of such Tenant, and generally all Parties 40 claiming or deriving Title from, through, or under such Tenant by lawful Assignment, Devise, Bequest, or Act or Operation of Law:
- "Owner:" The Word "Owner" shall imply the Landlord in the actual Receipt of the Rents, having an Estate in the Reversion not less 45 than

than for the Time of his own Life, or an unexpired Term of Sixty Years, whether determinable or not on a Life or Lives :

The Word "Lease" shall include every Instrument in Writing, whether under Seal or not, containing a Contract of Tenancy in respect of any Lands, Tenements, or Hereditaments, for a definite Period of Time, whether absolute, or contingent on some Event or for One or more than One Life, in consideration of a Rent :

The Word "Rent" shall include any Sum in the Nature of Rent, and payable by way of Compensation for the permissive Occupation of any Land :

The Word "Lessor" shall extend to a Body Politic, Corporate, or Collegiate making Leases :

The Word "Lessee" shall include the Personal Representatives of any Lessee and his lawful Assigns :

The Word "Person" shall include any Body Politic, Corporate, or Collegiate :

The Word "Lands" shall include Messuages, Tenements, and Hereditaments of every Tenure, whether corporeal or incorporeal :

The Expression "perpetual Interest," shall comprehend, in addition to any greater Interest, any Lease or Grant for One or more than One Life, with or without a Term of Years, or for Years, whether absolute, or determinable on One or more than One Life, with a Covenant or Agreement by a Party competent thereto in any of such Cases, whether contained in the Instrument by which such Lease or Grant is made, or in any separate Instrument, for the perpetual Renewal of such Lease or Grant :

The Expression "Successors in Estate" shall mean the Persons entitled for the Time being after the Lessor to the actual Receipt of the Rents and Profits of the Lands comprised in the Lease under the same Title, Settlement, or Will with the Lessor, or under the Exercise of any Power affecting such Title, or contained in such Settlement or Will, and who but for the making of the said Lease would be entitled to Possession of the Lands, or to the Possession subject to any other existing Lease or Tenancy :

The Word "entitled" shall mean entitled either legally or equitably :

The Word "Settlement" shall include every Assurance, or connected Set or Series of Assurances, whether by Deed, Will, Private Act of Parliament, or otherwise, by which Lands are or shall be limited in a Course of Settlement, or agreed so to be :

The Expression "Assistant Barrister" shall extend to and include the Chairman of the Sessions of the Peace of the County of Dublin, and the Recorder of the City of Dublin and Borough of

4 *Tenants Improvements Compensation (Ireland).*

Cork, and the Recorder of any Borough or Town in Ireland, under the Act passed in the Third and Fourth Years of Her Majesty's Reign, intituled "An Act for the Regulation of Municipal Corporations in Ireland," and their Deputies lawfully appointed :

5

"Clerk of the Peace:"

The Expression "Clerk of the Peace" shall extend to and include the Registrar of the Chairman of the Sessions of the Peace of the County of Dublin, so long as such Registrar shall continue in Office, and the Registrar of Civil Bills for the City of Dublin, and also the Acting or Deputy Clerk of the Peace, or Registrar 10 or other Officer discharging the Duties of such Clerk of the Peace or Registrar.

"the Court of Chancery:"

The Expression "the Court of Chancery" shall include any Branch of that Court, or any Officer thereof, to which or to whom the Lord Chancellor for the Time being may delegate or 15 appoint any of the Duties or Powers imposed or conferred by this Act :

"serve:"

The Word "serve" shall be construed to mean either personal Service, or Service on the Attorney, Agent, Bailiff, Steward, or Receiver of the Person to be served, or Service by Delivery at 20 the Place of Abode of the Person to be served :

"County."

The Word "County" shall extend to and include a County of a City, and County of a Town, and a Riding of a County ; and where any Land shall be situate within One or more District or Division, County or Riding, such Land shall be deemed for the 25 Purposes of this Act to be situate within the District, Division, County, or Riding within which the greater Part of such Land shall be situate.

Short Title of Act.

II. In citing this Act in other Acts of Parliament, and in legal or other Instruments and Proceedings, it shall be sufficient to use 30 the Expression "The Tenants Improvements Compensation Act (Ireland), 1855."

Persons entitled to improve under the Act.

III. Every Tenant as herein-before described shall be empowered to claim Compensation for Improvements under this Act.

With respect to the Classes of Improvements for which, without 35 express Agreement contained in a Lease or separate Instrument, as herein-after provided, Compensation may be recovered under this Act, be it enacted as follows :

Classes of Improvements:

IV. Any Improvements which shall confer the Right of Compensation under this Act shall fall within some One or more of the 40 following Classes ; that is to say,

1. The

1. The erecting on any Lands of any Farm House or Building for Agricultural Purposes suitable to the Holding, or the enlarging or the extending of any such Farm House or Building erected or to be erected thereon, so as to render the same more suitable to the Holding :
 2. The reclaiming of Waste Land or cut-out Bog Ground, by converting the same into Arable or Pasture Land :
 3. The making of any Boundary Fences :
 4. The making of any Farm Road :
- 10 Provided, however, that, except as herein-after provided respecting Leases and Agreements for Compensation entered into between Persons having partial and limited Interests, and their Tenants, **no Right** to Compensation shall arise under this Act in respect of **any Im-** improvements which shall have been made in pursuance of any Con-
- 15 tract binding the Tenant to make the same or like Improvements, or which shall have been executed in consideration of any Reduction or Abatement of Rent made at the Commencement or at any other Period of his Tenancy, nor in any Case of Ground let for building, or let by the Foot or other local Measurement
- 20 calculated upon the Extent of Frontage to any Road or Street, or let by Measurement, or under Provisions denoting that such letting was intended for the Purpose of building; nor in any Case where Lands are let in or for Conacre for the Purpose of cropping or depasturing for One Season or Two Seasons only, or for a
- 25 special or temporary Purpose; nor to any Case where any House or other Building shall form the principal Subject of Demise; nor to any Case of Lands (ordinarily termed "Town Parks") adjoining or near to any City or Town, which shall bear an increased Value as Accommodation Land over and above the ordinary letting Value of Land
- 30 occupied as a Farm, and shall be in the Occupation of a Person living in such City or Town or the Suburbs thereof; nor to any Parks or Demesnes; nor for any Buildings hereafter to be erected, unless the same shall be erected in a permanent and durable Manner, the Walls being built of Stone and Mortar, or Brick and Mortar, and
- 35 well covered in with Tiles or Slates; and when there shall be any Dwelling House upon the Lands of any Tenant at the Time of the Service of any Notice of Improvements, the building of an additional Dwelling House thereon shall not be deemed an Improvement within the Meaning of this Act, unless the same shall have been
- 40 built with the Consent in Writing of the Owner of the Land, nor for a Second Dwelling House in any Case where the Lands of the Tenant shall not lie all together, unless the Owner, before such Improvements shall have been commenced, have consented in Writing to the Erection thereof; nor for Cottages or other Buildings erected
- 45 without the like Consent for the Purpose of sub-letting, or for any

Farm Build-
ings :

Reclaiming
Waste Land,
&c.

Boundary
Fences :

Farm Roads.

Compensa-
tion not to
be allowed
in certain
Cases.

6 *Tenants Improvements Compensation (Ireland).*

other Purpose than the actual Occupation thereof by the Tenant ; and no Compensation shall be allowed for any of the above-mentioned Classes of Improvements which were not required for or shall not be suitable to the Tenant's Holding ; and nothing shall be deemed an Improvement under this Act which shall not have Reference solely to an Increase of the Agricultural Value of the Holding on which such Improvement shall have been made. 5

A Notice of intended Improvements to be served on Landlord.

V. Every such Tenant intending to avail himself of the Benefit of this Act shall fill up a Notice according to the appropriate Form No. 1. in the Schedule to this Act annexed, and shall, Three Months 10 previously to the Commencement of any Improvements for which Compensation may be claimed under this Act, serve or cause to be served on the Person actually in receipt of the Rent of his Holding, or the known Agent or Receiver of such Person, the said Notice or a true Copy thereof. 15

Landlord or Owner may undertake to execute the Improvements.

VI. When and so soon as such Notice shall have been served, it shall be lawful for the Landlord served with such Notice, or for any Person who shall be an Owner of the said Lands within the Meaning of the " Land Improvement Act (Ireland), 1853," or the known Agent of such Landlord or Owner, at any Time within *Three Months* from 20 the Service of such Notice, to serve on the Tenant giving such Notice of intended Improvements a counter Notice to the Effect that such Landlord or Owner elects and undertakes to take effectual Proceedings to execute the proposed Improvements, and as to all such Improvements, except those under Class Two, to complete the 25 same within *Three Months* from the Date of such counter Notice, and the said Landlord or Owner, on completing such Improvements proposed by the said Notice in a good and sufficient Manner, may thereupon charge the said Tenant, his Representatives or Assigns, with a yearly Sum not exceeding the Rate of *Five per Centum* in each 30 Year on the Sum actually and properly expended in making and so completing the said Improvements, and which shall have been ascertained by the Declaration of the Landlord in the Form No. 2. in the Schedule to this Act annexed, or to the like Purport and Effect, which Declaration shall be signed and declared by him, and a 35 Copy thereof served on the Tenant, and be attested, deposited, and registered, and a Registry Certificate thereof granted, and the Contents of such Certificate received in Evidence, and shall be liable to Impeachment on the Part of the Tenant, in the Manner herein-after provided in respect of Declarations to be signed and declared by 40 Tenants, which said yearly Sum shall thenceforth be deemed and taken to be a Part of the yearly Rent payable by such Tenant for his said Farm, and recoverable by all the Ways and Remedies available

available for the Recovery of the Rent aforesaid, or may otherwise be considered to be a separate and distinct Demand, recoverable by Civil Bill Process, for each Gale or Proportion thereof which may become due on any Gale Day as aforesaid after the Completion of
5 the said Improvements.

VII. In every Case in which the counter Notice by the Landlord or Owner undertaking to execute the Improvements mentioned in the Tenant's Notice shall not have been served, or, having been served, shall not have been acted upon, it shall be lawful for such
10 Tenant to commence and execute the proposed Improvements.

When Notice shall not have been served, Tenant may commence his Improvements.

VIII. It shall be lawful for any Tenant, having executed any Improvements as aforesaid, to make a Declaration in the Form No. 3. in the Schedule to this Act annexed, or to the like Purport and Effect, such Declaration to be signed and declared by the Tenant in
15 the Presence of the Clerk of the Peace or of a Justice of the Peace in and for the County in which such Improvements are made, who are respectively required to attest the same without Fee or Reward; and the said Declaration so made shall be deposited with the Clerk of the Peace, and registered by him in a Book, which Book he is hereby
20 required to provide for the Purpose, with an Index thereto, such Book to be called the "Register of Improvements;" and the Clerk of the Peace shall be entitled to demand and receive a Fee of *Two Shillings and Sixpence* for the Deposit and Registration of every such Declaration; and such Clerk of the Peace shall deliver, without further or
25 other Fee, a Registry Certificate of the said Registration to the Person making such Registry, and shall also deliver a compared and certified Copy of such Declaration, upon Payment of a Fee of *Two Shillings and Sixpence*, and no more; and every such Copy purporting to be signed by the said Clerk of the Peace shall be received
30 in any Court as Evidence of the Contents thereof, in the same Manner as if the Original had been produced and proved; provided also, that it shall be lawful for any Person, at all convenient Times, and on Payment of a Fee of *Sixpence* to such Clerk of the Peace, to inspect any Register and Index as aforesaid; and if any Clerk
35 of the Peace in Ireland shall refuse or wilfully omit to perform any Act which he is hereby or by any other Provision in this Act contained required or directed to do, he shall forfeit and pay to the Party thereby aggrieved the Sum of *Five Pounds* for every such Refusal or Omission, such Sum to be recovered by Civil Bill Process
40 before the Assistant Barrister, in the same Manner as if it were a Debt due by the Person so refusing or omitting to the Party thereby aggrieved.

Tenant, having executed Improvements, to make a Declaration.

Declaration
to be con-
clusive Evi-
dence that
the Act has
been com-
plied with.

IX. Notice that the Declaration has been so registered as aforesaid, and a Copy of said Declaration, shall be served by the Tenant registering the same on the Landlord; and if the Landlord does not within *Six Months* proceed as herein-after mentioned to impeach such Declaration, then it shall be conclusive Evidence that the Pro- 5
visions of this Act as to all preliminary Proceedings have been complied with, and that the Improvements specified in such Declaration have been completed: Provided always, that every Person affected by such Declaration may impeach the same on any Ground within *Six Months*, and on the Ground of Fraud within *Six Years* from the 10
Date of such Registry, and that the Mode of impeaching such Declaration shall be by Notice from the Landlord or Person affected thereby to the Tenant, stating the Grounds of Impeachment, and requiring the Tenant to appear before the Assistant Barrister of the County or Riding at the next Quarter Sessions for the District in 15
which the Lands are situate, to be held not less than *Fifteen Days* thereafter, which Notice shall be served on the Tenant *Fifteen Days* at least before such Quarter Sessions; and the said Assistant Barrister shall hear and determine the said Matter, and shall have the Power to take Evidence upon Oath, and to compel the Attendance of 20
Witnesses, as in other Cases; and the said Assistant Barrister may order the said Declaration to be removed from the Registry, or any Part thereof to be expunged, or make such other Order thereon, with reasonable Costs, as shall appear to be just; and it shall be competent for any Party who has appeared before the Assistant Barrister to 25
appeal from his Decision to the next-going Judge of Assize, if the Lands shall be situate elsewhere than in the County or County of the City of Dublin, and if situate in the County or County of the City of Dublin, then to the Judge of the Consolidated Nisi Prius Court, Dublin, at the next Sitting of said Court, first giving to the Persons 30
who appeared on the opposite Side due Notice of his Intention to appeal at least *Fifteen Days* before the Commencement of said Assizes or Sitting of said Court, provided so many Days shall intervene; and in other Cases it shall be lawful for such Party to appeal to the next subsequent Assizes or Sitting of said Court, giving a similar 35
Notice of Appeal.

Recovery of
Compensa-
tion in case
of Eviction.

X. If any Landlord or Owner, after the Registration of such Declaration as aforesaid, where such Declaration shall not have been successfully impeached, shall proceed by any Process of Law against such Tenant for the Purpose of evicting and shall evict the Interest 40
of such Tenant, or shall determine his Possession in any Holding upon which such Improvements shall have been made, on the Determination of the Tenancy by Effluxion of Time or otherwise, it shall thereupon be lawful for such Tenant to proceed against the
Landlord

Landlord or Owner so evicting such Tenant, for the Recovery of such Compensation as shall be allowed by the Provisions of this Act, but subject to such Grounds of Objection or Defence (if any) as are hereafter provided; and in order to ascertain the Value of the Improvements to be compensated for, and the Sum of Money to be paid for them, it shall be lawful for any Tenant whose Possession shall have been so determined by his Landlord, or against whom his Landlord shall proceed by any Process of Law for the Purpose of evicting the Interest of such Tenant in any Holding upon which Improvements entitled to Compensation under the Provisions of this Act shall have been made, to proceed against the Landlord so evicting him for the Recovery of the Sum due to him on account of such Improvements, when the same shall be ascertained, in the Manner following: The Tenant shall serve upon his Landlord a Notice of Claim in Writing, which shall state the Amount demanded by him as a Compensation for the Improvements duly executed by him, and set forth in his Declaration registered as aforesaid; and if, within Three Months after the Service of such Notice, the Landlord or his Agent shall not have agreed in Writing to pay the Amount claimed, or some other Amount in lieu of it which the Tenant in Writing shall have agreed to accept, or shall not have come to some other Agreement in respect to the Occupancy of the Land upon which such Improvements shall have been made, it shall be lawful for the Tenant to proceed against the Landlord or Owner so proceeding to evict the Interest or determining the Possession of such Tenant, for the Recovery of the Amount of his Claim or such Part thereof as he shall prove to be entitled to, but subject to such Grounds of Defence, if any, and to such Set-off and Deductions, as are hereafter mentioned, and provided that the Tenant shall in no Case be entitled to recover more than the Balance of the true and real Value of the Improvements in their actual Condition at the Time of the Termination of the Tenant's Possession, after all just and proper Deductions and Allowances.

XI. When the Amount claimed by the Tenant as aforesaid shall not exceed *Forty* Pounds, the same may be sued for by Civil Bill in the Court of the Assistant Barrister, subject to the like Appeal from Decree or Dismiss, in the same Manner and under the same Regulations as are at present or may hereafter be in force in relation to other Appeals in Civil Bill Actions; and if the Amount claimed by the Tenant shall exceed *Forty* Pounds, the same shall be sued for by Action in any of the Superior Courts of Common Law at Dublin.

For Recovery
of Amount
claimed by
Tenant.

XII. In any Action or other Proceeding brought or taken by any Tenant for any Sum to which he shall be entitled as Compensation [Bill 39.] B under

Landlord's
Grounds of
Defence to

Tenants
Claim under
this Act.

under this Act, it shall be lawful for the Landlord against whom such Action or other Proceeding shall be brought, if necessary, to avail himself of the Matter following by way of Defence to such Claim; (that is to say,)

That the Tenant, subsequently to the making of the Improve- 5
ment or Expenditure for which he claims Compensation, and
after the passing of this Act, did, without the Consent in
Writing of his Landlord, or the known Agent or Receiver
of such Landlord duly authorized in that Behalf, unlawfully
sublet or subdivide all or some Part of his Holding; and 10
it shall not be necessary for such Landlord to produce in
Evidence or prove the Deed or Instrument (if any) by which
subletting of such Holding was made.

Landlord
may set off
Cross De-
mands.

XIII. In all Cases in which the Person liable to the Payment of
any Sum of Money for Compensation shall be entitled as against the 15
Person claiming the same to any Cross Demand or Deduction for or
in respect of any Dilapidation, Want of sufficient Repair, Waste,
or Destruction of or in the Improvements for which Compensation
is so claimed, or shall be entitled to any Arrear of Rent due out of
such Holding, or to any Sum or Sums of Money or Damages for 20
or in respect of Rates, Taxes, or Assessments left unpaid by such
Tenant, or for or in respect of the Breach of any Covenant or Agree-
ment in respect of such Holding which the Person claiming such
Compensation or the Party under whom he derives Title was bound
to fulfil, it shall be lawful for such Person liable to the Payment of 25
such Sum of Money to set off, in any Action, Civil Bill, and other
Proceeding for the Recovery of such Sum of Money, the Amount
of such Deduction, Rent, Sum or Sums of Money or Damages
against the Amount to which the Person claiming such Sum of
Money shall be entitled; and it shall be competent for the Court 30
which shall adjudicate on any such Tenant's Claim, at the same
Time, and by the same Decree or Judgment or Order, to adju-
dicate on such Set-off or Cross Demand, either by deducting the
Amount thereof from the Claim, or by giving a Decree or Verdict or
Order for the Defendant, in Cases where the Amount established as 35
a Set-off or by way of a Cross Demand shall exceed the Amount which
the Tenant is entitled to recover: Provided always, that in Civil Bill
Proceedings Notice of such Set-off or Cross Demand in Writing, signed
by the Defendant or his Attorney, shall be given at least *Six* Days
before the Day of the Quarter Sessions, Assizes, or Sittings at which 40
the Case may be first heard, which Notice shall contain the full
Particulars of such Set-off or Cross Demand, and that in Proceedings
in the Superior Courts such Set-off or Cross Demand shall and may be
established or relied on in the same Way as Matters of Set-off
may

may be relied on or established by the Practice of the Superior Courts.

- XIV. If any Tenant, or those under whom he derives, at any Time before the passing of this Act shall have executed Improvements in his Holding coming under any of the Classes in this Act before mentioned as properly required for and suitable to the Holding, and adding to its letting Value for Agricultural Purposes, and if the Landlord for the Time being shall proceed by any Process of Law against such Tenant for the Purpose of evicting and shall evict his Interest in any Holding on which such Improvements shall have been so made, on the Determination of the Tenancy by Effluxion of Time or otherwise, it shall be thereupon lawful for such Tenant, subject nevertheless to the Provisions herein-after contained, to make claim against and to recover from such Landlord a just and reasonable Compensation for such Improvements, according to their actual Value; and the like Notice of such Claim shall be given, and such Claim shall be adjudicated upon in the same Manner, and shall be subject to the like Grounds of Defence, Cross Demands, and Deductions, as in the Case of Claims of Compensation for Improvements to be made after the passing of this Act; and the Arbitrators to whom the Claim of such Tenant may be referred, or the Assistant Barrister or Judge, shall make their or his Award or Decree in favour of such Tenant for such reasonable Amount of Compensation, if any, as they shall consider him entitled to, after all proper Deductions and Allowances, having due Regard to the Length of Enjoyment of such Improvements, the present Value of the same to the Holding, the Expenditure actually made by such Tenant or by those under whom he derives in such Improvements, and the other Circumstances under which they were made or enjoyed: Provided, however, that no such Claim shall be allowed unless within *Twelve* Calendar Months after the passing of this Act the Tenant in possession of the Premises for the Time being shall make, and cause to be registered, a Declaration in the Manner herein-before required in the respect of Improvements made after the passing of this Act (and which Declaration shall be taken and registered in the like Manner), to the Effect that such Improvements, specifying the Nature and Value of the same as then existing, have been made and executed by such Tenant, or by some other Person, to be named, under whom he derives, and that such Tenant now lawfully claims to be entitled to the Benefit of such Improvements, which said Declaration shall be open to Impeachment, and shall be inquired into and dealt with and have the like Force and Validity in all respects as a Declaration in respect of Improvements made after the passing of this Act.

Tenant to be entitled to Compensation for Improvements made before the passing of this Act, if evicted.

XV. In any Case in which a Defendant in any Ejectment proceeding on the Determination of the Tenancy by Effluxion of Time or otherwise shall establish, by Affidavit or other Evidence, to the Satisfaction of the Court in which such Proceedings shall be pending, that he has, as against the Party proceeding to evict his Interest in the 5 Lands in his Possession, and in respect of such Lands, a valid Claim for Compensation duly registered under this Act, and unsatisfied, it shall be lawful for the Court to stay the Execution of any Writ of Habere facias possessionem, or Decree for Possession, for a reasonable Time, to enable such Defendant to establish his Claim, upon such 10 Terms, nevertheless, as to giving Security or otherwise, as to the Court shall seem proper and just.

And with respect to Remuneration to outgoing Tenants, be it enacted as follows :

Tenant, on giving up Possession, entitled to Remuneration.	XVI. In case any Landlord shall require his Tenant to give up 15 Possession of his Holding at the Expiration of his then subsisting Tenancy, such Tenant so giving up the Possession as required, and at any Time within <i>Two</i> Years after the Expiration of his Tenancy (except in the Cases herein-after excepted), and subject to the Provisions herein contained, shall be entitled to recover from his Landlord 20 for the Time being, by a Civil Bill Process, a fair and reasonable Remuneration in Money for and in respect of the several Matters following ; (that is to say,)
For the Crops in the Ground :	For the Crop (if any) which such outgoing Tenant has sown in a due Course of Husbandry, and left in the Ground : 25
Manure :	For the Preparation of the Ground for Crops by Tillage and manuring during the last <i>Two</i> Years of his Tenancy :
Straw and Hay : Growing Underwood.	For the Straw, Hay, and Manure left on the Farm : And for growing Underwood :
	And such Claim shall be subject to the like Defences and Grounds 30 of Set-off as in the Case of Proceedings on Foot of a Certificate of Completion as aforesaid, so far as the same shall be applicable ; and an Appeal may be made from the Decision of the Assistant Barrister in the same Way as in other Cases is or shall be provided by the statutable Enactments regulating the Course of Civil Bill Proceedings ; 35 and it shall be lawful for the Landlord, at the Hearing of such Civil Bill, either before the Assistant Barrister or Judge on Appeal, to set off any Amount due to him for Arrears of Rent, or any Amount of Rates, Taxes, Charges, or Assessments left unpaid by the Tenant, and to which the Holding is liable, against the Amount of Remune- 40 ration to which the Tenant shall be entitled : Provided always, that no such Remuneration shall be recovered by any outgoing Tenant, for or in respect of any of the aforesaid Subject Matters of Remuneration, in any Case where a special Agreement in Writing with respect to

to the same shall have been made by the Landlord and Tenant respectively, and shall be proved to the Satisfaction of the Assistant Barrister or Judge on Appeal, otherwise than in accordance with such special Agreement.

- 5 XVII. If any Landlord or Owner, after the Time when the Tenant could legally, under the Provisions of this Act, commence and execute Improvements, and before the Registration of the Declaration of Improvements, shall proceed by any Process of Law against such Tenant for the Purpose of evicting and shall evict the Interest of
- 10 such Tenant in any Holding in respect whereof Notice of Improvement has been served by the Tenant under the Provisions of this Act, on the Determination of the Tenancy by Effluxion of Time, or without the Act or Default of such Tenant, it shall be thereupon lawful for such Tenant to proceed by Civil Bill Process, according
- 15 to the Practice of the Civil Bill Court, against such Landlord, for the Purpose of recovering a just and reasonable Compensation for the Expenditure, in Labour or Money, bonâ fide made by such Tenant in such Improvements, pursuant to the Provisions of this Act; and the Assistant Barrister shall, subject to the Provisions herein contained, give a Decree to him for such Amount as he shall be entitled
- 20 to, on its being proved that such Improvements were bonâ fide made, or partly made, by such Tenant, pursuant to the Notice as hereinbefore provided, but not exceeding in the whole *Three* Years clear annual letting Value of the Lands so improved; and such Claim
- 25 shall be subject to the like Defences, Cross Demands, and Deductions as in the Case of Claims of Compensation for Improvements registered under this Act.

If Landlord, after the Time when the Tenant could commence Improvements, and before the Registration of the Declaration, shall proceed to evict Tenant, such Tenant may proceed by Civil Bill Process against such Landlord for Compensation.

And with respect to the Persons hereby empowered to make Leases, be it enacted as follows :

- 30 XVIII. Every Person herein-after described, entitled in possession to any Estate or Interest herein-after named in Lands in Ireland, or to the Receipt of the Rents and Profits thereof, whether or not such Estate shall be subject to any Mortgage or other Incumbrance (provided the Incumbrancer shall not be in possession), shall have
- 35 Power to make Leases of all or any Part of the said Lands (other than the See House, Glebe House, or Mansion House and Demesne Lands, or Parks, Plantations, Garden, Orchard, or Pleasure Grounds and Appurtenances belonging to or usually occupied with such See House, Glebe House, or Mansion House,) for the Purposes and
- 40 Periods of Time, and subject to the Rents, Rights of Apportionment of Rent, Covenants, and Conditions herein stated; (that is to say,)

Persons enabled to make Leases.

(1.) Her Majesty the Queen, and Her Successors, Kings and Queens of Great Britain and Ireland, and the Commissioners

of Her Majesty's Woods and Forests, in respect of Lands situate in the Kingdom of Ireland :

- (1.) Tenants in Fee Simple or Fee Farm, or seised of any other perpetual Estate or Interest, subject to any Mortgage or Incumbrance : 5
- (3.) Tenants in Tail, or quasi in Tail, of an Estate of Inheritance or perpetual Interest :
- (4.) Tenants for the Term of their own Lives, not being Jointresses, or for the Life or Lives of any other Person or Persons, or for so many Years as they may live, or any partial 10 Owner for an unexpired Term of Years, not being less than Sixty Years in its Inception, and whether absolute or determinable on a Life ; provided that every Estate in this Paragraph mentioned shall be created out of an Estate of Inheritance or perpetual Interest by Settlement, and not in 15 consideration of or subject to any Rent reserved on the Creation of such Term :
- (5.) Married Women entitled to any Estate specified in Numbers (2.), (3.), or (4.), for their separate Use, and whether restrained or not from Anticipation : 20
- (6.) Tenants by the Courtesy of England and Tenants in Dower :
- (7.) Husbands seised in right of their Wives, or by Entireties with their Wives, provided that the Wife is entitled to any such Estate as is specified in Number (2.), but whether subject to any Incumbrance or not, or in Numbers (3.), or (4.), and 25 shall be a consenting and executing Party to the Lease, not being under Age :
- (8.) Archbishops, Bishops, and other Ecclesiastical Persons seised in right of their Dignities or Benefices, with the Consent, in the Case of a Rector, Vicar, or Perpetual Curate, of the 30 Archbishop or Bishop of the Diocese, and with the Consent of the Patron, signified in Writing on such Lease ; provided that no Lease made by any Ecclesiastical Person or Corporation for any Term exceeding Twenty-one Years shall be valid without the Licence in Writing of the Lord Lieu- 35 tenant in Council, or of other the Chief Governor or Governors of Ireland for the Time being in Council, such Writing to be made on or annexed to such Lease ; provided also, that a Counterpart of every such Lease made by any Rector, Vicar, or Curate shall be executed and duly regis- 40 tered in the Registry of the Diocese in which the Lands shall be situate :

(9.) Corporations,

- (9.) Corporations, lay, eleemosynary, and collegiate, whether aggregate or sole, and the Ecclesiastical Commissioners for Ireland; provided that no Lease made by any Municipal Corporation or Board of Guardians of the Poor for any
5 Term exceeding Twenty-one Years shall be valid without the Licence in Writing, in the Case of a Municipal Corporation, of the Commissioners of Her Majesty's Treasury or any Two of them, and in the Case of such Board of Guardians of the Poor, of the Poor Law Commissioners for Ireland, such
10 Licence to be written on or annexed to the said Lease :
- (10.) Trustees and Feoffees of charitable Uses of a public Nature, and seised or possessed of an Estate in Fee Simple, Fee Farm, or other perpetual Interest :
- (11.) Trustees under any Will or Settlement entitled in Fee
15 Simple, or for a perpetual Interest, or to any Estate specified in Number (4.), and having a Power to sell the same; provided, however, that when such Power is to be exercised with the Consent of any Person no such Lease shall be valid without such Consent :
- (12.) Governors of Endowed Schools for Ireland seised or possessed of any Lands in Fee Simple or Fee Farm or other perpetual Interest, or entitled to any Estate specified in Number (4.); provided that no Lease for any Term exceeding Twenty-one Years shall be valid without the
20 Licence in Writing of the Lord Primate, Lord Chancellor, Archbishop of Dublin, and the Chief Justice of the Queen's Bench, Chief Justice of the Common Pleas, and Chief Baron of the Exchequer, or any Three of them, written on or annexed to such Lease.

30 And with respect to Cases of Disability of Parties otherwise entitled to make Leases, be it enacted as follows :

XIX. In case any Person (not being a Trustee or Feoffee) who would be entitled to make Leases under this Act or otherwise, whether by virtue of an Estate or of a Power, shall happen to be
35 under any of the following Disabilities or Incapacities, the like Power or Authority may be exercised in his or her Name and on his or her Behalf, in the following Manner :

If under the Age of Twenty-one Years, by his or her Guardian appointed by Will or Settlement or by the Court of Chancery, and
40 if such Person have no Guardian, it shall be lawful for the Court of Chancery in Ireland, on Petition in a summary Way, to appoint a Guardian of such Person under Age, for the Purpose of executing any Lease under this Act in the Manner aforesaid, and to change him from

Legal Incapacity or Disability of Person having Power to lease.

Time to Time, and the Lease shall be executed by the Guardian so appointed:

If lunatic or idiot or non compos mentis, by the Committee of the Estate; and if there shall be no Committee of the Estate, or no Inquisition finding such Person idiot or lunatic, it shall be lawful 5 for the Court of Chancery in Ireland, by Petition in a summary Way, to appoint a Guardian of such Person for the Purpose of executing any Lease under this Act, and to change such Guardian from Time to Time, and the Power shall be executed as aforesaid by the Guardian so appointed: 10

Provided always, that no Lease made under this Act of the Estate of any Person under Age, or of unsound Mind, or non compos mentis, for any Term exceeding Twenty-one Years, shall be valid without the Consent in Writing of the Lord Chancellor, Master of the Rolls, or One of the Masters in Ordinary of the Court of Chancery in Ireland, 15 as the Case may require, written on or annexed to such Lease, such Consent to be obtained in a summary Manner by Petition to the said Court of Chancery by any Party interested therein.

And with respect to the Periods of Time for which Leases may be made under this Act, be it enacted as follows: 20

- Periods for which Leases may be made: XX. A Lease made by a Person empowered by this Act may be granted for the following Periods of Time, according to the Purpose for which it is made:
- Agricultural Leases: (1.) Agricultural Leases of Arable Land, or of Pasture Land for the Purpose of grazing, for a Term not exceeding *Twenty-* 25 *one Years*:
- Improvement Leases: (2.) Improvement Leases of Waste, Barren, Bog, or Mountain Land, for the Purpose of Reclamation, for a Term not exceeding *Forty-one Years*:
- Mining Leases: (3.) Mining Leases of Mines, Minerals, Quarries of Marble and 30 Stone, Collieries, Beds of Clay, Flint, Ochre, Fullers Earth, and other Matters usually found in the Earth, and fit for the making and manufacturing of Wares, together with an adequate Portion of adjoining Land not exceeding Five Acres for Accommodation Purposes, for a Term not ex- 35 ceeding *Forty-one Years*:
- Building Leases: (4.) Building Leases of suitable Lands, for the Purpose of building, rebuilding, making, or otherwise improving Dwelling Houses, Warehouses, Mills, Factories, Offices, Shops, Stores, Mill-dams, Mill-races, Ponds, and other necessary Conveniences 40 for such Dwelling Houses, Warehouses, Mills, or Factories, either alone or together with any such Erections or Things herein-before mentioned, and already in being at the Time of granting

granting the Lease, and with or without an adequate Portion of adjacent Land not exceeding Three Acres for Accommodation Purposes, or for the Erection of Labourers Dwelling Houses, for a Term not exceeding *Ninety-nine* Years :

- 5 - (5.) Public Leases for the Purpose of erecting or establishing public Churches, Chapels, Gaols, Lighthouses, Ports and Harbours, County Infirmaries, public Hospitals, Dispensary Buildings, Workhouses, Police Barracks, Coast-guard Stations, and other Works and Buildings of a public Nature and for a public Purpose, and public Schools, Literary or Scientific Institutions, founded or endowed by any Body authorized by any Charter or Act of Parliament so to do, of Land not exceeding Thirty Acres, for a Term not exceeding *Nine hundred and ninety-nine* Years, or in Fee Farm.
- 10

Public Leases.

- 15 And with respect to the Nature and Contents of such Leases, be it enacted as follows :

- XXI. Every Lease made under this Act shall be a Lease in possession, and not in reversion or by way of future Interest: Provided always, that it shall be lawful for every such Person hereby authorized to make Leases, at any Time within *Seven* Years of the Termination of any Lease for a Term of Years made before or after this Act, to execute a new Lease under this Act to the Person or Persons in whom the original Lease shall be vested, and such new Lease shall operate as a Surrender of the former Lease.
- 20

Leases to be in possession.

- 25 XXII. Every Lease made under this Act shall import the following Covenants, Conditions, and Agreements on the Part of the Lessee, his Heirs, Executors, and Administrators, with the Lessor, and the same shall be as effectual and binding as if they were expressly inserted in such Lease :

General Covenants and Conditions.

- 30 1. That the Lessee shall pay when due the Rent reserved, and all Taxes and Impositions payable by the Tenant :
2. That the Lessee shall repair, maintain, and keep the demised Premises during the Term in good and substantial Repair, with all Buildings, Fixtures, and Improvements, and all
- 35 Gates, Hedges, Ditches, Fences, Drains existing or erected at any Time during the said Term, subject to any Right of Removal acquired in respect thereof :
3. That the Lessee shall give up peaceable Possession of the demised Premises, with all Buildings, Erections, Fixtures, and
- 40 Improvements thereon made or to be made, in good and substantial Repair and Condition, on the Determination of the Lease ; subject, however, to any Right of Compensation for or

[39.]

C

Removal

Removal of Improvements that may have arisen in respect of them :

4. That it shall be lawful for the Landlord or his Agent, at all reasonable Times, to enter on and inspect the Premises :
5. Also to re-enter, in case of any unlawful Assignment or Sub-letting. 5

**Agricultural
Covenants.**

XXIII. Every Agricultural Lease made under this Act shall, in addition to the Covenants and Conditions enumerated in Section XXII., in like Manner import the following Covenants on the Part of the Lessee, his Heirs, Executors, and Administrators, with the Lessor : 10

1. To manage, till, and use the Lands demised in due and regular Course of good Husbandry, so that the same shall not be in anywise injured or deteriorated :
2. Not to burn, or permit to be burnt, any Part of the Soil or Surface of the Lands demised, without the previous Consent 15 in Writing of the Landlord.

**Improvement
Covenants.**

XXIV. Every Improvement Lease made under this Act shall, in addition to the Covenants and Conditions enumerated in Section XXII., in like Manner import and imply the following Covenant and Agreement on the Part of the Lessee, his Heirs, Executors, and Administrators, with the Lessor : 20

To proceed to improve the said Lands within *Twelve Months* after the Commencement of the Lease, and effectually to reclaim at least *One Tenth* Part of the said Lands during every Three Years of the said Term, until the whole, or so much thereof 25 as is capable of Reclamation, shall have been reclaimed, and that in default thereof it shall be lawful for the Lessor and his Successors in Estate to re-enter and possess themselves as of their former Estate.

**Mining
Covenants.**

XXV. Every Mining Lease made under this Act shall, in addition 30 to the Covenants and Conditions enumerated in Section VII., in like Manner import and imply the following Covenant and Agreement on the Part of the Lessee, his Heirs, Executors, and Administrators, with the Lessor :

To commence effectually to work the Mines, Minerals, Quarries, 35 or Beds of Earth demised, within *Two Years* next after the Commencement of the said Lease, and afterwards to continue the effectual carrying on of the said Works, and that in default thereof it shall be lawful for the Lessor and his Successors in Estate to re-enter and possess themselves as of their former 40 Estate.

XXVI. Every

XXVI. Every Building and Public Lease made under this Act shall, in addition to the Covenants and Conditions enumerated in Section XXII., in like Manner import and imply the following Covenant and Agreement on the Part of the Lessee, his Heirs, Executors, and
 5 Administrators, with the Lessor :

Building
Covenants.

In case the Lease is made substantially and principally for the Purpose of building or rebuilding, to build or rebuild or make in a permanent and substantial Manner, on the demised Premises, such Buildings, Erections, or other Things as are
 10 herein-before mentioned as the Subject of a Building or public Lease, of an annual Value of not less than *Three* Times the highest Rent reserved by the said Lease; and in case the Lease is made substantially and principally for the Purpose only of repairing or otherwise improving such Buildings, Erec-
 15 tions, or other Things as aforesaid, existing at the Time of the making of the Lease, then to repair or improve such Buildings, Erections, or Things to such an Extent at least that the annual Value of the demised Premises shall be thereby increased to not less than *Twice* the Rent reserved in such last-mentioned
 20 Lease; and that in case such Buildings, Rebuildings, Repairs, or Improvements shall not have been made within *Five* Years from the Commencement of the said Lease, the Lessor and his Successors in Estate may re-enter and possess themselves as of their former Estate.

25 XXVII. The Lessee in every Lease made under this Act shall be liable for all Waste by him permitted or committed, unless by the said Lease otherwise expressly provided to the contrary: Provided, however, that it shall be lawful by such Lease to enable the Lessee thereof to make such Additions and Alterations in and upon the
 30 Lands and Premises demised, and to dig for and use in and upon the same, such Stone, Limestone, Earth, Clay, Loam, Marl, Sand, and Gravel as may be necessary for effecting the Purpose for which said Lease was granted.

Lessee
punishable
for certain
Waste.

XXVIII. Where any Lease shall be made under this Act for the
 35 Purpose of building, and the Lessee therein shall be empowered to assign or sublet in Parcels, it shall be lawful by express Terms in the said Lease to confine the Right of Entry or Re-entry for the Breach of any of the Covenants and Conditions therein contained or implied, other than in respect of the Payment of Rent, to the Part of
 40 the Lands in respect of which the Breach or Default shall have been committed or suffered; and, notwithstanding the Avoidance of such Lease as to Part only of the Lands demised, the Conditions of Re-

Partial Re-
entry.

entry, and all the Covenants in the said Lease, so far as the same may be applicable, shall remain in full Force as to the Residue of the said Lands, and the Rent shall be apportioned in respect of the said Residue in the same Manner as if an Eviction had taken place by Title paramount of the Part in respect of which such Right of Entry 5 or Re-entry shall have been exercised.

Best Rent to
be reserved.

And with respect to the Rents to be reserved by such Leases, be it enacted as follows :

XXIX. The Rent reserved in any Lease made under this Act shall be the best improved yearly Rent that at the Time of making 10 such Lease can be obtained or reasonably expected from a solvent Tenant, without Fine or Consideration of any kind : Provided always, that in the Case of a Mining Lease the Rent reserved shall not be less than the *One Twentieth* Part or Share of the Produce raised out of such Mines or Minerals, and in case of a Money Rent being 15 reserved in lieu thereof shall be estimated without Regard to the Expense of digging, raising, and laying the same on the Bank ; and that in every such Mining Lease made by a partial Owner, who shall not be himself dispunishable of Waste, *Two Fifth* Parts of the yearly Rent be reserved to the Lessor, and the other *Three Fifth* Parts 20 to the Parties entitled to the next vested Estate of Inheritance in the Mines comprised in the said Lease, during the Time such Estate shall continue vested in them ; provided also, that it shall be lawful to reserve a reduced Rent, either fixed or progressively increasing, for the First *Three* Years of the Term in the Case of any Building 25 Lease, and for the First *Seven* Years in the Case of any Improvement Lease

Rents and
Covenants
to enure to
Parties en-
titled to
Land.

XXX. The Rents reserved and the Covenants and Conditions contained or implied in any Lease made under this Act shall enure to the Persons who for the Time being would, if such Lease had not been 30 made, be entitled to the actual Possession of the Lands comprised in the said Lease, or to the Receipt of the Rents and Profits thereof, according to their Estates and Interest therein.

Lease to be
by Inden-
ture.

XXXI. Every Lease made under this Act shall be by Indenture sealed and delivered by or on behalf of the Lessor in the Presence of 35 One or more than One Witness, and a Counterpart of every such Lease shall be executed by the Lessee thereof.

Stamp Duty.

XXXII. Every Agricultural and Improvement Lease made under this Act shall be chargeable with a Stamp Duty of One Shilling, and no more ; and every Counterpart shall be subject to the like Stamp 40 Duty, and no more ; which Duties shall be subject to the like Laws and

and Regulations, as to Collection and Management, Fines, Forfeitures, and Penalties, as other Stamp Duties of the same Kind and Description in Great Britain and Ireland have been, are, or shall be hereafter subject to, as fully as if the said Laws and Regulations had been
5 specially enacted herein with reference to the Duties hereby imposed.

And with respect to the Force and Efficacy of Leases to be made pursuant to this Act, be it enacted as follows :

XXXIII. Every Lease made pursuant to the Provisions of this Act shall be valid and effectual to bind the Lessor, his Heirs, Executors,
10 Administrators, Assigns, and Successors in Estate, and all Persons whomsoever deriving under the same Title or Settlement as that under which the Lessor derives, and notwithstanding any Entail, Law, or Custom to the contrary, and whether there be any Leasing Power annexed or belonging to the Estate of such Lessor, but so as not to
15 prejudice or interfere with any other Power of leasing to him belonging.

Leases made pursuant to Act to bind all Persons deriving under same Title or Settlement.

And whereas it is expedient to make Provision against accidental Defects in Leasing Powers under this or any other Act of Parliament or under any Settlement, in Cases coming substantially within the
20 Scope and Intention of such Act or Settlement: Be it therefore enacted as follows :

XXXIV. In any Case in which a Power to make Leases pursuant to the Provisions of this or any other Act or any Settlement shall be incapable of being exercised by reason of some accidental and unfore-
25 seen Event or Variation of the Circumstances of the Case necessary to bring the same within the exact Terms of the Act or Settlement, it shall be lawful for the Court of Chancery in Ireland, by any Order to be made upon a summary Petition presented to it by any Party interested in the Matter, and upon Notice being given to such Persons
30 as the Court shall think necessary, to authorize and empower any Person described in such Act or Settlement to make Leases, notwithstanding any such Variation in the Circumstances of the Case as the Court shall consider not to involve a substantial Departure from the true Scope and Meaning of such Act or Settlement; and every Lease
35 made in pursuance of such Order, although not warranted by the exact Terms of such Act or Settlement, shall be as valid as if the Terms of such Act or Settlement had been qualified, explained, or enlarged by the Terms of such Order.

Provision for accidental Defect of Powers.

And with respect to informal Leases made under Leasing Powers,
40 be it enacted as follows :

XXXV. Where any Lessee shall have entered into possession under any Lease made in the intended Exercise of any Leasing Power
[39.] C 3 conferred

Informal Lease to be valid as a Contract.

conferred by this or any other Act of Parliament or by any Settlement, without fraudulent Concert to injure the Rights of the Successors in Estate, and such Lease shall be invalid as against a Successor in Estate by reason of some Noncompliance with the Terms of the Power, such Lease shall, in case the Lessee shall so 5 desire it, be deemed to be a sufficient Contract by the Parties competent at the Time to execute the Power to be enforced in a Court of Equity for a Grant of a valid Lease under the Power to the like Purpose and Effect, save so far as any Variation may be necessary to comply with the Terms of the Power: Provided that this Provision 10 shall not extend to any Lease already surrendered or relinquished, or impeachable in any Action or Suit now pending by reason of such Invalidity.

Successor
may confirm
without
Variation.

XXXVI. Where any Lessor or his Successor in Estate shall during the Continuance of the Possession taken under any such invalid Lease 15 as aforesaid be competent to confirm such invalid Lease without Variation, and shall offer so to do, the Lessee shall be bound, on Request, to accept such Confirmation, and such Confirmation may be by a Memorandum in Writing, signed by such Lessor or his Successor, and by such Lessee or by some other Person by him or them 20 thereunto lawfully authorized; and after such Confirmation of said Lease and Acceptance thereof, such Lease shall be valid, and take effect as if it had been originally valid.

Partial Con-
firmation.

XXXVII. Where, upon or before the Acceptance of Rent under any such invalid Lease by the Successor in Estate of such Lessor, 25 any Receipt, Memorandum, or Note in Writing, expressing in Terms a Confirmation of such Lease, is signed by such Successor in Estate, or by some other Person by him thereunto lawfully authorized, such Acceptance as against such Successor shall be deemed a Confirmation of such Lease. 30

Invalid Lease
validated by
subsequent
Accrual of
Title.

XXXVIII. Where any Lease, made in the intended Exercise of any supposed Leasing Power conferred by this or any other Act of Parliament or by any Settlement shall be invalid by reason of the Lessor not having at the Time Power to make such Lease, and the Estate of such Lessor in the Lands comprised in such Lease shall 35 have continued, or shall have accrued and continued, until after such Lease might have been lawfully granted, such Lease shall take effect out of such Estate and be as valid as if it had been granted at such last-mentioned Time; provided such Lease had not been then already surrendered or relinquished. 40

XXXIX. Where

XXXIX. Where any Lease shall be made by a Lessor having a Power of leasing the Lands comprised in such Lease, and such Lease cannot take effect or have Continuance independently of such Leasing Power, every such Lease shall take effect and be as valid as if the same were intended and had been expressed to have been granted in exercise of the said Power, although such Power be not referred to: Provided that this Enactment shall not apply to any Lease already surrendered or relinquished, or impeachable in any Action or Suit now pending by reason of such Invalidity.

General Lease validated by co-existing Power.

10 XL. Nothing herein contained in respect of such invalid Leases shall prejudice or take away any Right of Action or Remedy to which but for this Act the Lessee might have been entitled under any Covenant for Title or quiet Enjoyment contained in such Lease, or any Right of Entry or Re-entry, or other Right or Remedy, to which the Lessor, or his Representatives or Successors in Estate, might but for this Act have been entitled by reason of any Breach of Covenant or other Agreement contained in such Lease.

Remedy on Covenants preserved.

And with respect to Agreements with Improving Tenants for Compensation for Improvements, be it enacted as follows :

20 XLI. It shall be lawful for any Person who is by this Act enabled to make an Agricultural Lease of Lands, by any such Lease, or by a separate Instrument in Writing, which Instrument shall not be subject to any Stamp Duty, signed by such Person, to enter into an Agreement with the Tenant of such Lands, to the Effect that such Tenant (his Representative or lawful Assign) shall, as against the Person who shall require and retake the Possession of such Lands from such Tenant on the Determination of the Tenancy by Effluxion of Time, or without the Act or Default of such Tenant, his Representative or lawful Assign, be entitled, on the retaking of such Possession, to such Compensation for Improvements as herein-after mentioned.

Partial Owner may enter into Agreement for Compensation of Improvements

XLII. It shall be lawful for any such Person enabled as aforesaid, by any such Lease or Instrument in Writing, to stipulate and agree that in case the Tenant shall make, put up, or erect any Improvements on the said Lands of a Nature removable and separable from the Soil, that is to say, by erecting or enlarging any Dwelling House, Farm Building, either detached or otherwise, or putting up any other Building, Gates, Palings, Brick or Stone Walls which shall be so erected, enlarged, or put up for Agricultural Purposes only, and shall be suitable to the Size of the Holding, and add to the annual Value thereof upon a Letting for such Purpose, and which shall not have been

Improvements removable and separable from the Soil to be the Property of Tenant.

otherwise compensated or allowed for, or erected in pursuance of some Obligation in that Behalf independent of the said Agreement, the Party so making the same, his Representative or lawful Assign, may claim from the Person so requiring and retaking Possession of the Premises, or his Representative, a reasonable Compensation for such Improvements, to be estimated according to the actual Value thereof at the Time of retaking such Possession, after all proper Deductions have been made therefrom. 5

Improve-
ments in-
separable
from the
Soil to be
compen-
sated in
Money or by
Occupation.

XLIII. It shall be lawful for any such Person enabled as aforesaid, by any such Lease or Instrument in Writing, to stipulate and agree that in case the Tenant or his Representative or lawful Assign shall make any Improvements on the said Lands of a Nature not removable or separable from the Soil, that is to say, Reclamation of Waste Land or Cut-out Bog, making Roads, Main or Through Drainage or Irrigation, clearing the Land of Rocks or Stones, improving the Soil by marling, liming, claying, or the Use of artificial Manures, which shall not have been otherwise compensated or allowed for, or made or done in pursuance of some Obligation in that Behalf independent of the said Agreement, such Tenant shall be compensated for his bonâ fide Expenditure in Capital or Labour made in respect of such last-mentioned Improvements by a Sum of Money proportionate to the Value of such Improvements or by a certain and undisturbed Occupation of the Premises without any Increase of Rent, and to stipulate in such Agreement as to the Number of Years of such Occupation which shall be taken as the Period of Compensation under each and every Head of Improvement made as last aforesaid, and as to the maximum Amount of Allowance to be made for the same, and also as to such other Matters touching the said last-mentioned Improvements, not being inconsistent with the Provisions of this Act, as shall seem to him to be expedient. 25 30

Statutory
Limit within
which by
voluntary
Agreement
with Tenant
the Estate
may be bur-
dened.

XLIV. The Period of Compensation specified in any such Agreement respecting such last-mentioned Improvements shall not be binding on any Person by virtue of this Act, merely, for any greater Number of Years than the following; that is to say,

- (1.) In respect of the Reclamation of Waste Land or Cut-out Bog, for a Period not exceeding *Twenty* Years: 35
- (2.) In respect of making of Farm Roads for the convenient Cultivation of the Farm, for a Period not exceeding *Five* Years:
- (3.) In respect of the Main or Through Drainage of Land, or Improvement of the same by Irrigation, for a Period not exceeding *Ten* Years: 40

(4.) In

(4.) In respect of the durable Improvement of Land by clearing away of Rocks or Stones, for a Period not exceeding *Five* Years :

5 (5.) In respect of the durable Improvement of the Land by marling, liming, claying, or otherwise amending the Soil, for a Period not exceeding *Five* Years :

10 (6.) In respect of temporary Improvement of the Land by the Use of artificial Manures, or in respect of any other Kind of Improvement in the said Agreement specified and not herein-before provided for, for a Period not exceeding *Two* Years :

And the Number of Years fixed as the Period of Compensation by any such Agreement, or limited by the foregoing Provision, shall be computed from the Date of the Certificate of Completion herein-
15 after mentioned ; and every such Tenant having made such Improvement shall be entitled to be reimbursed such Proportion of his entire Outlay as the Number of Years, and the proportionate Part of a Year unexpired at the Determination of his Tenancy in the Manner aforesaid, shall bear to the entire Period of Compensation fixed or
20 limited as aforesaid.

XLV. The Amount of Allowance in Money stipulated to be made in respect of any such last-mentioned Improvements by any One or more than One such Lease or Agreement shall not be binding on any Person by virtue of this Act merely, to any greater Extent in
25 the aggregate than the Amount of *Four* Years clear improved yearly Value of the Lands on which such Improvements, or any of them, shall have been made, after deducting Head Rent, if any, and all public Taxes and Disbursements.

XLVI. Every Agreement for Compensation for Improvements under
30 this Act shall contain, or be connected with by express Reference to, a Specification and Estimate of the Improvements proposed to be executed, which said Specification and Estimate shall constitute a Part of the said Agreement.

XLVII. Every such Agreement for Compensation for Improve-
35 ments under this Act shall be made with such Consent and Licence as an Agricultural Lease made by the same Person under this Act is hereby required to have, if any.

XLVIII. Every such Agreement made pursuant to this Act shall be binding on all Persons whomsoever, subject, however, to the
40 Limitations as to the Period of Compensation and Amount of Allowance herein-before provided.

[39.]

D

XLIX. Where

Limit of the Amount of Allowance.

Specification of the Nature and Cost of proposed Works.

Consents to be procured in certain Cases.

Agreements to be binding on all Persons.

Copy of
Agreement
to be lodged
and regis-
tered with
Clerk of the
Peace.

XLIX. Where any such Agreement for Compensation in respect of Improvements shall be made under this Act, either by Indorsement on or in the Body of any Lease, or by a separate Instrument in Writing, distinct from the Lease, a Copy of such Lease or Agreement, signed by the Landlord, shall be lodged with the Clerk of the Peace 5 of the County, and shall, on Production to him of the original Lease or Agreement and an Affidavit verifying its Execution by the Parties thereto, be registered in the Register of Improvements to be provided by the Clerk of the Peace of the County for the Fee of *Two Shillings and Sixpence* and no more. 10

Certificate of
Completion
to be ob-
tained within
Three Years.

L. When and so soon as such Lease or Agreement shall have been registered as aforesaid it shall be lawful for the Tenant to commence and execute his proposed Improvements, and having completed any such Improvements as herein-before last mentioned and not separable or removable from the Soil at any Time within *Three* 15 Years from the Date of such Lease or Agreement, to present to the Assistant Barrister sitting at Quarter Sessions in the District in which the Holding or the greater Part thereof shall be situate, for his Signature, a Certificate of Completion according to the Form in the Schedule (No. 4.) to this Act annexed; and such Assistant Bar- 20 rister, on Proof that due Notice of the intended Application for a Certificate of Completion (accompanied by a true Copy of the proposed Certificate) had been served on the Landlord for the Time being or his known Agent, at least *Fifteen* Days before the First Day of such Sessions, and if no sufficient Objection be made 25 thereto, and being satisfied that the said Certificate corresponds substantially with the Particulars of the Agreement or Lease, Specification, and Estimate, and that the said Works have been duly executed accordingly, shall, if he shall so think fit, sign a Certificate of Completion, and the same, when so signed, shall be thereupon handed by 30 the said Assistant Barrister to the Clerk of the Peace, who, on Receipt thereof, and Payment of a Fee of *Two Shillings and Sixpence*, and no more, shall cause the Copy of the said Lease or Agreement, lodged by the Tenant in manner aforesaid to be annexed to such Certificate, and shall enter the material Particulars 35 of the said Certificate in a Book to be provided by the Clerk of the Peace for that Purpose, and to be called the "Register of Improvements," with a proper and convenient Reference to the Number of such Agreement and Certificate.

Security
against
imperfect
Works.

LI. The said Landlord, or his Successor in Estate, or any Person 40 whose Estate or Interest in the Lands may be prejudiced or affected by the Allowance of the proposed Certificate of Completion, shall be at liberty, if dissatisfied therewith, to appear at the Quarter Sessions

Sessions at which the said Certificate will be tendered to the Assistant Barrister for his Signature, and object to the Allowance of the said proposed Certificate, and for that Purpose may adduce Evidence to disprove or contradict the same in the whole or in part; and the
 5 Assistant Barrister shall thereupon either allow or disallow, or modify or alter the proposed Certificate, or postpone his Decision thereon to any subsequent Sessions for further Evidence, or direct such additional Evidence to be brought before him, or other Parties to be served with Notice, as he shall think right, and make such Order
 10 therein as to Costs as shall be agreeable to Justice.

LII. In all Cases in which the Right to obtain a Certificate of Completion shall be litigated, it shall be lawful for any Party dissatisfied with the Decision of the Assistant Barrister, and who has appeared before him in Person, or by Attorney, to appeal to the next-
 15 going Judge of Assize, or in the County and County of the City of Dublin to the Judge in the Consolidated Nisi Prius Court as in other Cases of Civil Bill Appeals in the said County and County of the City, first giving Notice to the Persons who appeared on the opposite Side in the Court below of his Intention to appeal, at least
 20 *Fifteen* Days before the Day on which such Appeal may first be lawfully heard, provided so many Days shall intervene; and in other Cases it shall be lawful for him to appeal at the next subsequent Assizes, or sitting at Nisi Prius, giving a similar Notice of Appeal; and the Judge who shall hear such Appeal shall either affirm or
 25 reverse the Assistant Barrister's Decision, or alter or modify the proposed Certificate, and finally decide thereon, and make such Order as to the Costs in the Court below and the Costs of the Appeal as shall be agreeable to Justice.

LIII. Where the Right to a Certificate of Completion is litigated
 30 such Certificate, if granted, shall not be registered until after the Expiration of the Period herein-before allowed for appealing; and in Cases where an Appeal is made, then not until after the Determination of such Appeal.

LIV. The Certificate of Completion when registered shall be
 35 final and conclusive of the Truth of every Matter and Thing stated therein, and the same, or a Copy thereof purporting to be signed by the Clerk of the Peace, shall be conclusive Evidence that the Provisions of this Act as to all Proceedings preliminary to the obtaining thereof have been complied with; and no other Evidence than a Copy
 40 thereof, purporting to be signed as aforesaid, shall be requisite in any Proceeding respecting the same: Provided always, that nothing herein contained shall be deemed or taken to give Validity to any

Certificate fraudulently obtained or registered, but that every Person affected by any such Certificate may impeach the same on the Ground of Fraud, by Application on Notice to the Tenant or his Representatives, made within *Six* Years from the Date of the Registry thereof to the Assistant Barrister, who may order the same to be 5 removed from the Registry, on being satisfied by Evidence that the Registry of the same was fraudulently obtained or procured; provided always, that it shall be competent for any Tenant to appeal from such Order of the Assistant Barrister to the next-going Judge of Assize, first giving to the Party on whose Application such Order shall have 10 been made, or his legal Representative, due Notice of his Intention to appeal at least *Fifteen* Days before the Commencement of the Assizes, provided so many Days shall intervene; and in other Cases it shall be lawful for such Tenant to appeal at the next subsequent Assizes, giving a similar Notice of Appeal. 15

Recovery of
Compensa-
tion by Civil
Bill or Ac-
tion.

LV. The Compensation to which the Tenant shall be entitled under this Act for Improvements, when the Amount claimed shall not exceed the Sum of Forty Pounds, shall be sued for and only be recoverable by Civil Bill Process, in which the Tenant for the Time being who shall be dispossessed, or his Representative, shall be the 20 Plaintiff, and the Party so removing him, or his Representative, shall be the Defendant, and an Appeal shall lie for the Plaintiff and Defendant from every Decree and from every Dismiss, whether on the Merits or without Prejudice, in the same Manner and subject to the same Regulations as are at present or may be hereafter in 25 force relating to Appeals from the Decisions of Assistant Barristers in other Actions; and when the Amount claimed shall exceed Forty Pounds, the same shall be sued for by Action in the Superior Courts of Law, in which the Tenant for the Time being who shall be so dispossessed or his Representative shall be the Plaintiff, and the 30 Person so dispossessing or his Representative shall be the Defendant.

If Tenant is
evicted after
lodging a
Specifica-
tion, he may
sue his Land-
lord by Civil
Bill Process;

LVI. If any Landlord, after the Lodgment with the Clerk of the Peace of a Copy of the Lease or Agreement, in the Manner herein- before provided, shall proceed, by any Process of Law, against such Tenant for the Purpose of evicting and shall evict the Interest of 35 such Tenant in any Holding in respect whereof such Agreement has been lodged, otherwise than for Non-payment of Rent or Breach of Covenant, Condition, or Agreement, it shall be thereupon lawful for such Tenant to proceed by Civil Bill Process, according to the Practice of the Civil Bill Court, against such Landlord, for the Purpose of 40 recovering a just and reasonable Compensation for the Expenditure, in Labour and Money, bonâ fide made by such Tenant in respect of any such Improvements; and the Assistant Barrister shall (subject, however,

however, to the Provisions herein contained) give a Decree to him for such Amount as he shall be entitled to, on its being proved that such Improvements were bonâ fide made, or partly made, by such Tenant, pursuant to such Agreement and the Provisions of this Act ;
 5 and an Appeal may be made from the Decision of the Assistant Bar-
 rister in the same Way as in other Cases is provided by the statutable
 Enactments now or hereafter to be in force regulating the Course of
 Civil Bill Proceedings.

with Power
to either
Party to
appeal.

LVII. In any Action or other Proceeding brought or taken by any
 10 Tenant for any Sum to which he shall be entitled as Compensation
 under this Act, it shall be lawful for the Landlord, if necessary, to
 avail himself of the following Matter, by way of Defence to such
 Claim ; (that is to say,)

Landlord's
Grounds of
Defence to
Tenant's
Claim under
this Act.

That the Tenant, subsequently to the making of the Improvement
 15 or Expenditure for which he claims Compensation, did, without
 the Consent in Writing of his Landlord, or the known Agent
 or Receiver of such Landlord duly authorized in that Behalf,
 unlawfully sublet or subdivide all or some Part of his Holding ;
 and it shall not be necessary for such Landlord to produce in
 20 Evidence, or prove the Deed or Instrument (if any) by which
 such subletting of such Holding was made.

LVIII. In all Cases in which the Person liable to the Payment of
 any Sum of Money for Compensation shall be entitled as against the
 Person claiming the same to any Cross Demand or Deduction for or in
 25 respect of any bad Husbandry, Dilapidation, Want of sufficient Repair,
 Waste, or Destruction of or in any Part of the Premises in which
 the Improvements were made, or shall be entitled to any Arrear
 of Rent due out of such Holding, or to any Sum or Sums of Money
 or Damages for or in respect of Rates, Taxes, or Assessments left
 30 unpaid by such Tenant, and to which such Tenant or his Holding was
 liable, or for or in respect of the Breach of any Covenant or Agree-
 ment in respect of such Holding, which the Person claiming such Com-
 pensation was bound to fulfil, it shall be lawful for such Person liable to
 the Payment of such Sum of Money to set off, in any Action, Civil
 35 Bill, and other Proceeding for the Recovery of such Sum of Money,
 the Amount of such Deduction, Rent, Sum or Sums of Money, or
 Damages against the Amount to which the Person claiming such
 Sum of Money shall be entitled ; and it shall be competent for the
 Court which shall adjudicate on such Tenant's Claim, at the same
 40 Time, and by the same Decree, or Judgment, or Order, to adjudicate
 on such Set-off or Cross Demand, either by deducting the Amount
 thereof from the Claim, or by giving a Decree, or Verdict, or Order
 for the Defendant in Cases where the Amount, established as a Set-off,

Landlord
may set off
Cross
Demands.

or by way of a Cross Demand, shall exceed the Amount which the Tenant is entitled to recover: Provided always, that in Civil Bill Proceedings Notice of such Set-off or Cross Demand in Writing, signed by the Defendant or his Attorney, shall be given at least *Six* Days before the Commencement of the Quarter Sessions or Assizes at 5 which the Case may be heard, which Notice shall contain the full Particulars of such Set-off or Cross Demand, and that in Proceedings in the Superior Courts such Set-off or Cross Demand shall and may be established or relied on in the same Way as Matters of Set-off may be relied on or established by the Practice of the Superior Courts, 10 and notwithstanding that the same is unliquidated.

Assistant
Barrister
may direct a
Reference as
to Questions
of Fact.

LIX. In Cases of Doubt or Difficulty, or contradictory Evidence in any Proceeding before the Assistant Barrister under any of the aforesaid Provisions, it shall be competent for such Assistant Barrister to postpone his Decision until the next subsequent Sessions, and, if he 15 think right so to do, to direct a Reference to some properly qualified Person, to report specially on any Question of Fact which the Assistant Barrister may desire to ascertain, for which Report the Person making the same shall be entitled to receive such a reasonable Fee, to be paid by such Party or Parties, as the Assistant Barrister 20 shall determine.

Assistant
Barristers to
settle Sched-
ule of Fees
and Costs.

LX. The several Assistant Barristers, or any *Fifteen* of them, within *One Year* after the passing of this Act, shall settle a Schedule of Fees and Costs to be allowed for all Proceedings connected with this Act, such Fees and Costs in no Case to exceed Civil Bill Fees 25 and Costs in Ejectment Proceedings; and such Schedule, when settled, shall be immediately laid before the Lord Chancellor of Ireland for the Time being for his Approval, who may allow or disallow the same in whole or in part; and such Schedule of Fees and Costs may be in like Manner varied from Time to Time as 30 Occasion may require.

Forms to be
provided by
the Clerk of
the Peace.

LXI. All Forms of Notices, Declarations, Specifications, Undertakings, and Certificates of Completion required for the Purposes of this Act or intended to be lodged or deposited with the Clerk of the Peace, as herein-before provided, shall be obtained from the Office of 35 such Clerk of the Peace, on Payment of a Sum of *One Shilling* for each Form; and the Clerk of the Peace for each County shall cause all such printed Forms to be prepared on Parchment, of uniform Shape and Dimensions, with a sufficient Margin, and shall file the same as they shall be received, in compact Order, attaching them 40 by Laces through the Margin to Portfolio Covers, after the Manner of Books, so that the same shall be kept free from Injury, and easily accessible.

LXII. If

LXII. If any Clerk of the Peace in Ireland shall refuse or wilfully omit to perform any Act which he is by any Provision in this Act contained required or directed to do, he shall forfeit and pay to the Party thereby aggrieved the Sum of *Five Pounds* for every such Refusal or Omission, such Sum to be recovered by Civil Bill Process before the Assistant Barrister, in the same Manner as if it were a Debt due by the Person so refusing or omitting, to the Party thereby aggrieved.

Penalty for Neglect of Duty in Clerk of Peace.

LXIII. From and after the *Commencement of this Act* the several Acts and Parts of Acts set forth in the Schedule (No. 5.) to this Act annexed, so far as the same refer to the Relation of Landlord and Tenant in Ireland, but not otherwise, and to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, and not further or otherwise, shall be and are hereby repealed, except so far as may be necessary to support or enforce any Lease made or Contract entered into, or as to anything heretofore done, or any Right acquired or Liability incurred, and except so far as any of the said Acts or Parts of Acts repeal any former Act or Part of an Act, and except so far as may be necessary for the Purpose of supporting and continuing any Proceeding heretofore taken, or to be taken after the Commencement of this Act upon any Proceeding commenced before the Commencement of this Act, and except as to the Recovery and Application of any Penalty for any Offence which shall have been committed before the Commencement of this Act.

Repeal of former Acts.

LXIV. The Schedules to this Act annexed shall be deemed and taken to be a Part of this Act, and the Forms therein contained shall be used, save so far as the Nature of the Case may make it necessary or proper to vary from the same respectively, and no Variance or Defect, or verbal or technical Error therein, or in any Notice or Document under this Act, not calculated to mislead, shall invalidate or vitiate such Proceeding, Notice, or Document.

Schedules Part of the Act.

LXV. Nothing in this Act contained shall be deemed or construed to affect or prejudice any Usage or Custom established or existing in any Part of Ireland, relating to out-going or in-coming Tenants.

Not to affect Custom relating to out-going or in-coming Tenants.

LXVI. This Act shall come into Operation on the *Day* of *in the Year One thousand eight hundred and fifty.*

To come into Operation on the

LXVII. This Act shall extend only to Lands in Ireland.

Act only to extend to Ireland.

SCHEDULES referred to in the foregoing Act.

No. 1.

I hereby give Notice, That I intend to execute the following Improvements on my Holding of _____ in the Townlands and the Parish of _____ in the County of _____ that is to say [*here describe the Improvements*]; and that I have estimated the Cost of such Improvements to be as follows :
[*Here give a Particular of the estimated Expenses of the proposed Improvements.*]

Dated

[*Name and Residence of Tenant.*]

To *A. B.*

Landlord of said Holding, and
all other Persons concerned.

No. 2.

I [*Name of Landlord*], Landlord of [*Name of Tenant*], holding of me the Lands of _____ in the Parish of _____ and County of _____, do hereby solemnly and sincerely declare, That having received a Notice from [*the Name of the Tenant*], bearing Date the _____ Day of _____, and in the Words and Figures following [*here insert the Notice given by the Tenant*], I have caused to be served on [*here describe the Tenant or other Person on whom and the Place where the counter Notice has been served*] a counter Notice in the Words following [*here set out the counter Notice*]; and that I have, in pursuance thereof, expended the Sum of _____ Pounds in executing the following Improvements on the Holding of the said [*the Name of the Tenant*]; that is to say,

[*Here describe the Improvements executed.*]

No. 3.

I [*Name of Tenant*], Tenant of [*Name of Landlord*], holding the Lands of _____ in the Parish of _____ and County of _____ do hereby solemnly and sincerely declare, That I have caused to be served on [*here describe the Landlord or other Person on whom the Notice has been served*], a Notice in the Words following [*here set out the Notice*]; and that I have, in pursuance thereof, duly executed the following Improvements on my said Holding; that is to say,

[*Here describe the Improvements executed.*]

No. 4.

No. 4.

FORM OF CERTIFICATE of Completion of Improvements by Assistant Barrister.

County of M. } By the Assistant Barrister at the Sessions of the said
Division of N. } County.

It appearing to the said Assistant Barrister that *A.B.* is Tenant of the Lands of *P.*, situated within the said Division, and that the Lease [*or* Agreement] a Copy of which is hereunto annexed has been executed by *C.D.*, the Landlord of the said *A.B.*, in respect of the said Lands, and bears Date the _____ Day of _____ 185____, and has been duly registered, and that the Improvements therein specified have been commenced and executed within Three Years from the Date thereof: And it appearing to the said Assistant Barrister [that all proper Parties have had due Notice of the Application for this Certificate, and] that the Improvements herein-after detailed correspond substantially with the Particulars of the said Agreement, Specification, and Estimate, and that the same have been duly and properly executed according to such Agreement and Specification, and are of the Value in such Estimate stated [*or* of the Value of _____ Pounds] as herein-after set forth :

The said Assistant Barrister doth, in pursuance of the Provisions of the Statute in that Behalf made, hereby grant this his Certificate of Completion in respect of the Improvements herein-after mentioned.

Nature of Improvements made.	Value of Expenditure in Labour or Money.

Dated this _____ Day of _____ in the Year of our
Lord 18____.

G.H., Assistant Barrister.
L.M., Clerk of the Peace.

No 5.

ACTS and PARTS of ACTS REPEALED, so far as the same relate to the Relation of Landlord and Tenant in Ireland, and as by the foregoing Act is declared.

Date of Act.	Title of Act.	Extent of Repeal.
<i>Acts of the Parliament of Ireland,</i>		
10 Car. 1. Sess. 3. Chap. 6.	An Act that Lessees shall enjoy their Farms against Tenants in Taile, or in Right of their Wives, &c.	The entire Act.
10 Geo. 1. Chap. 5.	An Act for the further Encouragement of finding and working Mines and Minerals within this Kingdom.	Sections 1, 2, 3, 8, 9, 10, 11, and 12.
15 Geo. 2. Chap. 10.	An Act for explaining and amending an Act, entitled "An Act for the further Encouragement of finding and working Mines and Minerals in this Kingdom."	The entire Act.
23 Geo. 2. Chap. 9.	An Act for explaining and amending an Act, entitled "An Act for the further Encouragement of finding and working Mines and Minerals within this Kingdom."	The entire Act.
1 Geo. 3. Chap. 7.	An Act for continuing and amending an Act, entitled "An Act for better regulating the Collection of His Majesty's Revenue, and for preventing Frauds therein, and for repealing an Act made the last Session of Parliament, entitled 'An Act for continuing and amending several Laws heretofore made relating to His Majesty's Revenue, and for the more effectual preventing of Frauds in His Majesty's Customs and Excise, and the several Acts and Statutes which are mentioned in the said Act, and continued thereby.'"	Sections 9, 10, and 11.
1 Geo. 3. Chap. 8.	An Act to enable Tenants for Life to make perpetual Leases of Grounds whereon to erect public Hospitals.	The entire Act.
5 Geo. 3. Chap. 20.	An Act for erecting and establishing public Infirmarys or Hospitals in this Kingdom.	Section 3, except so far as the same enables the Governors and Governesses to take Lands.
7 Geo. 3. Chap. 8.	An Act to amend an Act made the last Session of Parliament for the erecting and establishing public Infirmarys or Hospitals in this Kingdom.	Section 1, except so far as the same enables Governors and Governesses to take Lands.
11 & 12 Geo. 3. Chap. 21.	An Act to encourage the reclaiming of unprofitable Bogs.	The entire Act.
11 & 12 Geo. 3. Chap. 30.	An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by Labour or Industry from begging.	Section 4.
17 & 18 Geo. 3. Chap. 15.	An Act to enable Testamentary Guardians of Minors to make Leases for the Purpose of building County Infirmarys and Hospitals on the Estates of such Minors, subject to the Restrictions herein-after mentioned.	The entire Act.

Date of Act.	Title of Act.	Extent of Repeal.
17 & 18 Geo. 3. Chap. 49.	An Act for the Relief of His Majesty's Subjects of this Kingdom professing the Popish Religion.	Section 11.
21 & 22 Geo. 3. Chap. 37.	An Act to explain and amend the Acts for the Encouragement of the Fisheries of this Kingdom, and for promoting the good Ends proposed by said Laws.	Sections 6, 7, and 8.
25 Geo. 3. Chap. 62.	An Act to explain and amend several Laws now in force for the Encouragement of Agriculture.	Sections 12, 13, 14, and 15.
27 Geo. 3. Chap. 31.	An Act to amend an Act, entitled "An Act for the further Improvement and Extension of the Fisheries on the Coasts of this Kingdom."	Sections 21 and 22, but so as not to affect the Operation of Sections 23 and 24 of said Act.
27 Geo. 3. Chap. 57.	An Act for amending an Act made in the Eleventh and Twelfth Years of His present Majesty's Reign, entitled "An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by Labour and Industry from begging;" and also to amend an Act made in the Thirteenth and Fourteenth Years of His present Majesty's Reign, entitled "An Act for amending an Act made the last Session of Parliament, entitled 'An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by Labour or Industry from begging.'"	Section 3.
40 Geo. 3. Chap. 90.	An Act for the further Encouragement of the Cotton Manufactures, by enabling Tenants for Life to make Leases for Sites of Mills.	The entire Act.
	<i>Acts of the Parliament of the United Kingdom.</i>	
46 Geo. 3. Chap. 71.	An Act to amend several Acts for the Encouragement of finding and working Mines and Minerals within Ireland.	Section 1.
10 Geo. 4. Chap. 50.	An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods and Forests, Parks and Chases, of the Land Revenue of the Crown within the Survey of the Exchequer in England, and of the Land Revenue of the Crown in Ireland, and for extending certain Provisions relating to the same to the Isles of Man and Alderney.	Sections 22, 23, 24, 26, 27, 28, 29, and 30, so far as they relate to Ireland.
1 Will. 4. Chap. 65.	An Act for consolidating and amending the Laws relating to Property belonging to Infants, Femes Covertes, Idiots, Lunatics, and Persons of unsound Mind.	Section 17, except so far as it enables Leases to be made of the Mansion House, Park, and Grounds of any Minor during his Minority. Also Sections 23 and 24.
8 & 9 Vict. Chap. 124.	An Act to facilitate the granting of certain Leases.	The entire Act, so far as it relates to Ireland.
9 & 10 Vict. Chap. 112.	An Act to facilitate and encourage the granting of certain Leases for Terms of Years in Ireland.	The entire Act.

Date of Act.	Title of Act.	Extent of Repeal.
11 Vict. Chap. 13.	An Act for amending the Law for the leasing of Mines in Ireland.	The entire Act.
12 & 13 Vict. Chap. 26.	An Act for granting Relief against Defects in Leases made under Powers of Leasing in certain Cases.	The entire Act, so far as it relates to Ireland.
13 Vict. Chap. 17.	An Act to amend an Act of the last Session of Parliament, for granting Relief against Defects in Leases made under Powers of Leasing.	The entire Act, so far as it relates to Ireland.

Tenants Improvements Compensation.

(Ireland.)

A

B I L L

To provide Compensation for Improving Tenants and to consolidate and amend the Laws relating to Leasing Powers in Ireland.

*(Prepared and brought in by
Mr. Serjeant Shee and Mr. Pollard Urquhart.)*

*Ordered, by The House of Commons, to be Printed,
23 February 1855.*

[Bill 39.]

Under 6 oz.

Testamentary Jurisdiction Bill.

ARRANGEMENT OF CLAUSES.

Preamble.

Commencement of Act; Sect. 1.

Act to commence on or after 1st January 1856, as Her Majesty shall appoint.

Interpretation Clause; Sect. 2.

Will; Administration; Real Estate; Personal Estate; Matters Testamentary; The Court; The Prerogative Court; Lord Chancellor.

Jurisdiction of existing Courts; Sect. 3.

Testamentary Jurisdiction of Ecclesiastical and other Courts abolished.

Testamentary Court; Sects. 4 to 47.

Jurisdiction of—

Testamentary Jurisdiction vested in the Testamentary Court; Sect. 4.

to have equal Jurisdiction with Court of Chancery with respect to Matters within its Jurisdiction; Sect. 5.

Practice of; Sect. 6.

to be similar to the Practice in Chancery, except as otherwise directed.

Sittings of; Sect. 7.

to be in London or Middlesex, as Her Majesty shall appoint.

Judge of; Sect. 8.

Her Majesty empowered to appoint Judge of Court.

during his Absence, Master of the Rolls or One of Vice-Chancellors to act as Judge; Sect. 9.

Judge to sit in Chancery in Absence of the Master of the Rolls and the Vice-Chancellors; Sect. 10.

Powers of Judge; Sect. 11.

5 Vict. c. 5, same as the Vice-Chancellors.

Judges Officers in; Sect. 12.

to have Secretary, Usher, and Trainbearer.

Salaries of Judge and Officers; Sect. 13.

5 Vict. c. 5, same as Vice-Chancellor.

Judges retiring Pension; Sect. 14.

[Bill 77.]

a

5 Vict.

Testamentary Court—*continued.*

5 Vict. c. 5, same as Vice-Chancellors.

Court Keeper; Sect. 15.

Lord Chancellor may appoint Person to keep Order in Court.

Vacancy in Office of Judge of; Sect. 16.

Her Majesty empowered to supply same; Qualification.

Seal of Court; Sect. 17.

Lord Chancellor to direct same to be provided; and may be broken, &c.

Testamentary Office; Sect. 18.

Officers of; Sect. 19.

Number of.

may be increased; Sect. 20.

to be appointed by the Lord Chancellor; Sect. 21.

Persons who are to be appointed Registrars.

Persons who are to be appointed to Offices in the Court; Sect. 22.

Principal Registrar, Duties and Qualifications of; Sect. 23.

Qualification of future Registrars; Sect. 24.

to execute Office in Person,

and to hold Office during good Behaviour, and other Officers during Pleasure of the Lord Chancellor; Sect. 25.

Servants and Messengers of; Sect. 26.

to be appointed by Principal Registrar, with Approbation of the Lord Chancellor.

Advocates admitted to practise as Barristers; Sect. 27.

Admission of Proctors as Solicitors; Sect. 28.

Admission of Articled Clerks to practise as Solicitors; Sect. 29.

Solicitors to practise in Court; Sect. 30.

Laws in force concerning Attornies and Solicitors extended to Solicitors of the Court; Sect. 31.

Orders of; Sect. 32.

Orders to be drawn up.

Accountant General and Taxing Masters; Sect. 33.

Accountant General and Taxing Masters of Court of Chancery to be Officers of the Court.

Accountant General; Sect. 34.

Appeal from; Sect. 35.

Orders may be reversed, &c.

Mode of proceeding to obtain Probate or Administration; Sect. 36.

Where Person applying for Probate or Administration resides out of Limits of London District Post; Sect. 37.

Printed

Testamentary Court—*continued.*

Printed Forms to be prepared; Sect. 38.

Principal Registrar to cause Probate or Administration to be granted; Sect. 39.

Form of Probate and Administration; Sect. 40.

Probates and Administrations to be printed; Sect. 41.

to be transmitted by Registrar to certain Offices; Sect. 42.

to be inspected on Payment of Fee; Sect. 43.

sufficient Number of Printed Copies to be retained by Principal Registrar for Inspection and Sale to meet Demands; Sect. 44.

to be issued to any Person applying for same on Payment of such Fee as the Lord Chancellor shall direct; Sect. 45.

to be stamped; Sect. 46.

Written Copy may be obtained; Sect. 47.

Particulars of Probates and Administrations; Sect. 48.

Note of to be advertised in London Gazette.

Inventory of Deceased's Effects; Sect. 49.

to be filed by Executor or Administrator within Twelve Months.

if neglected to be filed within such Period, Court, on Application of any Person interested, may Order same to be filed, with Costs; Sect. 50.

Practice as to Caveats; Sect. 51.

to correspond with Practice as to Caveats in the Prerogative Court.

Commissioners for taking Oaths to transmit Caveats, and Forms to be printed; Sect. 52.

Citations; Sect. 53.

instead of Citation, Summons to be issued by Testamentary Office, but according to Practice of Prerogative Court.

Procedure in Testamentary Court; Sect. 54.

Suit to establish Will, &c. may be instituted by Bill or Claim.

Demurrer for Want of Parties; Sect. 55.

not allowed, but Suit to proceed if Judge think fit.

Decree or Order; Sect. 56.

to bind all Persons named or referred to, including Persons under Disabilities, &c. whether Parties to Suit or not.

Appeal; Sect. 57.

Right of saved.

Sureties in Administration Bonds; Sect. 58.

21 Henry 8. c. 5.; 22 & 23 Chas. 2. c. 10.; 1 James 2. c. 17.
repealed.

Procedure in Testamentary Court—*continued.*

Bond ; Sect. 59.

to duly administer, to be with One or more Sureties, and
in such Form as the Lord Chancellor shall direct.

to be in double Penalty ; Sect. 60.

Court empowered to assign same ; Sect. 61.

Pending Suits ; Sect. 62.

Written Judgments ; Sect. 63.

Judge of Prerogative Court empowered to deliver.

Power as to Appointment of Administrator ; Sect. 64.

Administrator pendente lite ; Sect. 65.

may be appointed by Court.

Receiver of real Estate ; Sect. 66.

may be appointed by Court.

Remuneration to Administrators and Receivers ; Sect. 67.

Amount to be fixed by Court.

After Grant of Administration ; Sect. 68.

no Person to sue as Executor.

Revocation ; Sect. 69.

not to prejudice Actions or Suits.

Wills, &c. ; Sect. 70.

Court to have like Authority over as Prerogative Court.

Forged Will ; Sect. 71.

Court may remove from Registry or cancel a forged Will,
or restore a Will which has been tampered with.

Production of Instrument purporting to be Testamentary ;
Sect. 72.

Practice as to.

Jury ; Sect. 73.

Court may direct Validity of a Will to be tried by.

Attesting Witnesses ; Sect. 74.

may be examined.

Real Representative ; Sect. 75.

Court may appoint same.

Empowered to sell and convey, and mortgage ; Sect. 76.

To represent Real Estate in same Manner as Executor or Administrator represents Personal Estate ; Sect. 77.

Saving Estates of Persons dying before Act comes into operation ; Sect. 78.

Institution of Suit or Proceeding ; Sect. 79.

Limited to Twenty Years.

Disability

Procedure in Testamentary Court—*continued.*

Disability; Sect. 80.

Fraud; Sect. 81.

Void and voidable Probates and Administrations; Sect. 82.
to be valid—Proviso.

Lord Chancellor; Sect. 83.

empowered to make Rules and Regulations respecting
Mode of Proceeding in.

Ecclesiastical Courts; Sect. 84.

Judges of, at request of Principal Registrar, to transmit all
Wills, &c. in their Possession, &c. to the Record Keepers,
to be deposited in Testamentary Office, there to be arranged
for Reference.

Penalty for Default; Sect. 85.

Temporary Custody of Wills, &c.; Sect. 86.

Lord Chancellor to arrange therefor, until same are deposited
in Testamentary Office.

Temporary Officers; Sect. 87.

to be appointed by Lord Chancellor in place of Officer be-
coming temporarily incapable, but not for a longer Period
than Six Months.

Vacations; Sect. 88.

Lord Chancellor empowered to direct Registrars to discharge
the Duties of Principal Registrar during.

Officer engaging in other Employment; Sect. 89.

may be removed by the Lord Chancellor.

Proctors, Attorneys, and Solicitors appointed to Office; Sect. 90.

to cease to be Proctors in the Courts at Doctors Commons, and
struck off the Rolls, as the Case may be.

Registrars; sect. 91.

empowered to administer Oaths.

Forging or counterfeiting Seal of Court; Sect. 92.

Penalty of:—Penal Servitude for Ten and not less than Four
Years; Imprisonment not exceeding Three Years, with or
without Hard Labour.

Stamp Duties on Probates and Administrations; Sect. 93.

not affected by Act.

Commissioners of Inland Revenue; Sect. 94.

Registrar to deliver Copies of Wills, &c. to.

Fees; Sect. 95.

Lord Chancellor to prepare Table of, to be taken by Officers of
Court, with Power to vary same as he shall think fit, and to
publish same in Gazette.

Fees—continued.

Officer of the Court not to retain for his own Use ; Sect. 96.
nor accept Gratuity ; Sect. 96.

Penalty, 500*l.* Fine, and Incapacity to hold Office under the
Crown ; Sect. 96.

Offenders to be prosecuted by Information at Suit of the
Attorney General, or by Criminal Information ; Sect. 97.

to be paid in Stamps ; Sect. 98.

so much of the Sutors in Chancery Relief Act as applies to the
Collection of Fees by Stamps incorporated ; Sect. 99.

except that separate Accounts to be kept ; Sect. 99.

Commissioners of Inland Revenue to retain Expenses, &c., and
pay Residue into Bank of England to an Account, " The
Testamentary Fee Fund Account " ; Sect. 99.

to be paid to the same Account ; Sect. 100.

Stamps ; Sect. 101.

Acts relating to, under Commissioners of Inland Revenue,
incorporated.

Offices ; Sect. 102.

Lord Chancellor empowered to provide—

Officers ; Sect. 103.

Salaries of (Schedule (D.))

becoming infirm or incapable may be removed ; Sect. 104.

may be allowed Retiring Allowance not exceeding Two Thirds
of Salary.

Mode of compensating retiring ; Sect. 105.

Compensation ; Sect. 106.

to Judges and Deputy Judges, Registrars, and other Persons
holding Office in the Ecclesiastical Courts.

to Proctors ; Sect. 107.

to Proctors in Partnership ; Sect. 108.

to Judge of Prerogative Court ; Sect. 109.

Persons appointed to Offices not to receive same while holding
such Offices ; Sect. 110.

Viscount Canterbury,

Rights of saved ; Sect. 111.

Registry of Prerogative Court of Canterbury ; Sect. 112.

to vest in the Registrar of the Court.

Rev. R. Moore ; Sects. 113 and 114.

Compensation to.

Time of Payment of Salaries ; Sect. 115.

Testamentary Fee Fund ; Sect. 116.

if Surplus, same to be paid into the Exchequer.

if

Testamentary Fee Fund—*continued.*

if insufficient to defray Salaries, &c., Commissioners of the Treasury to provide for same.

One Probate or Administration; Sect. 117.

of Person dying domiciled in England, Wales, or Ireland to be valid in Ireland or Scotland; Sect. 117.

in like Manner Probate or Administration granted by Her Majesty's Prerogative Court in Ireland to be valid in Great Britain; Sect. 117.

Short Title; Sect. 118.

“The Testamentary Jurisdiction Act, 1855.”

Limit of Act; Sect. 119.

Not to extend to Scotland or Ireland.

SCHEDULES :

(A.) Form of Affidavit and Schedule.

Form of Schedule of Personal Estate.

(B.) Forms of Probate and Letters of Administration.

(C.) Particulars to be advertised.

(D.) Salaries of Principal Registrar and Registrars.

16 April 1855. 18 VICT.



A

B I L L

TO

Abolish the Jurisdiction of all the Ecclesiastical and Peculiar Courts in England and Wales respecting Wills and Administrations, to establish a distinct Court of Probate and Administration, and otherwise amend the Law in relation to Matters Testamentary.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS it is expedient that the Jurisdiction of granting Preamble.
Probates of Wills and Administration of the Effects of
deceased Persons should cease to be exercised by Eccle-
siastical, Manorial, or other Courts in England or Wales, and that
5 such Jurisdiction should be exercised by Her Majesty in a Court to
be established for the Purpose; and it is expedient that the Law
with respect to Matters Testamentary should be amended in manner
herein-after provided: Be it therefore enacted by the Queen's most
Excellent Majesty, by and with the Advice and Consent of the
10 Lords Spiritual and Temporal, and Commons, in this present Par-
liament assembled, and by the Authority of the same, as follows:

I. The Provisions of this Act (except where otherwise specially
provided) shall come into operation on the *First Day of January* Commence-
One thousand eight hundred and fifty-six, or such other Day as Her ment of Act.
[Bill 77.] A Majesty

Majesty shall by Order in Council appoint, provided that such Order shall be made *Two Months* at least previously to the Day so to be appointed.

Interpreta- tion Clause :	II. The following Words and Expressions used in this Act shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction ; (that is to say,) 5
Will :	The Word " Will " shall comprehend " Testament," " Codicil," " Appointment by Will, or Writing in the Nature of a Will, and " all other Testamentary Instruments and Papers : " 10
Administra- tion :	The Word " Administration " shall comprehend all Letters of Administration of the Effects of deceased Persons, whether with or without the Will annexed, Administrations de bonis non, " durante minore ætate," " ad litem," " pendente lite," " durante absentia," and all other Letters of Administration whatsoever, whether 15 granted for general, special, or limited Purposes :
Real Estate :	The Expression " Real Estate " shall extend to Manors, Advowsons, Messuages, Lands, Tithes, Rents, and Hereditaments, whether Freehold, Customary Freehold, Tenant Right, Customary or Copyhold, or of any other Tenure, and whether 20 corporeal, incorporeal, or personal, and to any undivided Share thereof, and to any Estate, Right, or Interest other than a Chattel Interest therein :
Personal Estate :	The Expression " Personal Estate " shall extend to Leasehold Estates and other Chattels Real, and also to Monies, Shares 25 of Government and other Funds, Securities for Money (not being Real Estates), Debts, Choses in Action, Rights, Credits, Goods, and all other Property whatsoever which by Law devolves upon the Executor or Administrator, and to any Share or Interest therein : 30
Matters Testamen- tary :	The Expression " Matters Testamentary " shall comprehend all Matters relating to the Probate of Wills, Codicils, Appointments by Will, or Writing in the Nature of a Will, and other Testamentary Instruments as to Personal Estate, the Grant of Administration of the Effects of deceased Persons, and the 35 Establishment of Testamentary Instruments as to Real Estate :
the Court :	The Expression " the Court " shall mean the Testamentary Court hereby established :
the Preroga- tive Court :	The Expression " the Prerogative Court " shall mean the Prerogative Court of the Archbishop of Canterbury : 40
Lord Chan- cellor.	The Expression " Lord Chancellor " shall comprehend Lord Chancellor, Lord Keeper and Lords Commissioners for the Custody of the Great Seal of the United Kingdom, for the Time being.

III. The

III. The Jurisdiction and Authority of all Ecclesiastical, Royal Peculiar, Peculiar, Manorial, and other Courts and Persons in England and Wales, now having Jurisdiction, Power, or Authority to grant or revoke Probates of Wills or Letters of Administration of the Effects of
 5 deceased Persons, shall absolutely cease and determine, and no Jurisdiction or Authority in relation to Legacies, Inventories, and Accounts, or the Distribution of the Estates and Effects of deceased Persons, or any Testamentary Cause or Matter, or any Matter arising out of or connected with the Grant of Administration, shall belong to or be
 10 exercised by any such Court or Person as aforesaid.

Testamentary Jurisdiction of Ecclesiastical and other Courts abolished.

IV. All Jurisdiction, Power, and Authority in relation to the granting Probate of Wills and Letters of Administration of the Effects of deceased Persons now vested in or which might be exercised by any Court or Person in England or Wales, together with complete Juris-
 15 diction for the Purpose of determining all Questions and Matters relating to Matters Testamentary, shall belong to and be vested in Her Majesty, and shall be exercised in the Name of Her Majesty in a Court to be called "The Testamentary Court."

Testamentary Jurisdiction vested in Testamentary Court.

V. The Testamentary Court shall, for the Purpose of exercising
 20 the Jurisdiction, Power, and Authority hereby vested in the same Court, have all the Jurisdiction, Power, and Authority of the High Court of Chancery by Statute or otherwise now exerciseable by the Court of Chancery with respect to Matters within its Jurisdiction, and also all Powers and Authorities by Statute or otherwise now exercise-
 25 able by the Prerogative Court or any other Court, or Body Politic or Corporate, or any Person whomsoever, exercising or entitled to exercise Jurisdiction in relation to Matters Testamentary.

Testamentary Court to have equal Jurisdiction, &c. with Court of Chancery with respect to Matters within its Jurisdiction.

VI. The Practice and Proceedings in the Court, except where otherwise directed by this Act, or by any General Order of the Lord
 30 Chancellor, in pursuance of the Provisions of this Act, shall be similar to the Practice and Proceedings of the Court of Chancery.

Practice of Court to be similar to the Practice in Chancery, except as otherwise directed. Sittings.

VII. The Court shall hold its Sittings at such Place or Places in London or Middlesex or elsewhere as Her Majesty in Council shall from Time to Time appoint.

VIII. It shall be lawful for Her Majesty to appoint, by Letters
 35 Patent under the Great Seal of the United Kingdom, a fit and proper Person, being or having been a Barrister-at-Law of *Fifteen* Years standing at the least, or an Advocate of the Court of Arches of *Ten* Years standing at the least, to be the Judge of the Court.

Her Majesty empowered to appoint Judge of the Court.

During
Absence of
Judge
Master of
the Rolls or
One of Vice-
Chancellors,
to act as
Judge.

IX. During the temporary or occasional Absence of the Judge it shall be lawful for the Lord Chancellor to direct that the Master of the Rolls, if he shall consent thereto, or any of the Vice-Chancellors, shall act as Judge of the Court.

During
Absence of
Master of the
Rolls, &c.
Judge of
Court may
act.

X. It shall also be lawful for the Lord Chancellor to direct that during the temporary or occasional Absence of the Master of the Rolls, or any of the Vice Chancellors, the Judge of the Court shall act as a Judge of the High Court of Chancery.

Powers of
Judge.
5 Vict. c. 5.

XI. The Judge to be appointed under this Act shall have the same Powers and Privileges, as well in the Testamentary Court as in the Court of Chancery, and shall be subject to the same Provisions, Duties, and Observances, as the Vice-Chancellors appointed under an Act passed in the Fifth Year of the Reign of Her present Majesty, Chapter Five, and he shall have Rank and Precedence next after the Vice-Chancellors.

Secretary,
Usher, and
Trainbearer.

XII. He shall have a Secretary, Usher, and Trainbearer, to be from Time to Time appointed and removed by him at his Pleasure; and the Secretaries, Registrars, and other Officers of the Court of Chancery appointed to attend the Lord Chancellor, and the Principal Registrar, Registrars, and other Officers of the Testamentary Court appointed under the Provisions of this Act, shall attend such Judge when sitting in Court or in Chambers, as Circumstances shall require, and as the Lord Chancellor shall order or direct.

Salaries.
5 Vict. c. 5.

XIII. The Salary of such Judge, and the Salaries of his Secretary, Usher, and Trainbearer, shall be of the same Amounts, and paid out of the same Funds, and in like Manner as the Salaries of the Vice-Chancellors appointed under the said Act of the Fifth Year of Her present Majesty, Chapter Five, their Secretaries, Ushers, and Trainbearers, are now payable.

Retiring
Pension.
5 Vict. c. 5.

XIV. *It shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, to grant to such Judge on his Resignation of or ceasing to execute his Office an Annuity of the same Amount, after the same Period of Service, under the same Circumstances, and subject to the same Conditions, and payable out of the same Fund, as the Annuity authorized to be granted to each of the Vice-Chancellors appointed under the said Act of the Fifth Year of Her present Majesty, Chapter Five.*

Lord Chan-
cellor may
appoint Per-

XV. It shall be lawful for the Lord Chancellor to appoint One or more Person or Persons, removable at Pleasure, for the Purpose of keeping

keeping Order in the Court of the Judge to be appointed under the Authority of this Act; and the Salaries of the Persons appointed or to be appointed under this Act, or under any Act or Acts now in force, to keep Order in the Court of the Judge to be appointed
5 under the Authority of this Act, shall be of such Amount, not exceeding the yearly Sum of *Eighty* Pounds, as the Lord Chancellor may think reasonable.

sons to keep
Order in
Court.

XVI. From Time to Time, when and as any Vacancy shall occur in the Office of the Judge who shall be appointed under the
10 Authority of this Act, by the Death, Resignation, or Removal from Office of such Judge or his Successor for the Time being, it shall be lawful for Her Majesty, by Letters Patent under the Great Seal of the United Kingdom, to appoint a fit Person, being or having been a Barrister-at-Law of *Fifteen* Years standing at the
15 least, or an Advocate of the Court of Arches of *Ten* Years standing at the least, to supply such Vacancy.

Power to
supply Va-
cancies in
Office of
Judge ap-
pointed
under this
Act.

XVII. The Lord Chancellor shall direct a proper Seal or proper
Seals to be made for the Court, and it shall be lawful for him to
direct the same to be broken, altered, and renewed, at his Discretion.

Seal of the
Court.

XVIII. The Principal Office of the Court, to be called the Testa-
mentary Office, shall be established in such Place as Her Majesty
in Council shall from Time to Time appoint; and, until another
Testamentary Office shall be appointed by Her Majesty in Council,
the present Public Registry of the Prerogative Court shall be used
25 as the Testamentary Office.

Establish-
ment of Tes-
tamentary
Office.

XIX. There shall be the following Officers of the Court; (that is
to say,) Officers of
the Court.

One Principal Registrar;
Five Registrars; and
30 So many Principal Clerks, Assistant Clerks, Officers, Messengers,
and Servants as the Lord Chancellor, with the Sanction of the
Commissioners of Her Majesty's Treasury, may from Time to
Time think fit.

XX. If the Lord Chancellor shall at any Time be of opinion that
35 the Business of the Court cannot be efficiently transacted without
the Appointment of additional Registrars, it shall be lawful for him,
with the Sanction of the Commissioners of the Treasury, to increase
the Number of such Registrars, provided that not more than *Two*
additional Registrars shall be so appointed.

Power to
increase
Number of
Registrars.

Appoint-
ments to
Offices.

XXI. The Principal Registrar and all the other Officers of the Court, except as herein-after mentioned, shall be appointed by the Lord Chancellor.

Registrars.

XXII. Charles Dyneley, Esquire, John Iggulden, Esquire, and W F Gostling, Esquire, the present Deputy 5 Registrars of the Prerogative Court, shall be Three of the First Registrars of the Court :

William Abbot, Charles Desborough Bedford, and Decimus Townshend Dyke, the present Principal Clerks of Seats in the Prerogative Court, R Allum, F Kruckenberg, J Beams, S 10 Jarvis, I Smith, W S Berry, S Chadwick, G Chadwick, T Chadwick, H Jones, H Bolton, W Kitching, W Todd, the present Assistant Clerks of Seat in the Prerogative Court, Richard Capes and Joseph Todd, the present Record Keepers of the 15 Prerogative Court, Brooks, the present Assistant Clerk of Records in the Prerogative Court, George Jervas Foster, the present Clerk of the Papers in the Prerogative Court, Charles Frederick Ford, the present Assistant Clerk of the Papers in the Prerogative Court, James Ford, the present Clerk of the Calendars in the 20 Prerogative Court, Samuel William Shaw, the present Clerk of the current Wills in the Prerogative Court, R Harrison, the present Examiner of registered Wills in the Prerogative Court, Thomas David Light, the present Principal Clerk of the Stamp Office Department in the Prerogative Court, and William John Berry, the present Sealer 25 of the Prerogative Court, shall have in the Court Offices of at least equal Value with the Offices they now respectively hold in the Prerogative Court.

Principal
Registrar.

XXIII. The Principal Registrar shall, subject to any Orders to be made by the Lord Chancellor, have the general Superintendence 30 and Control of the Offices of the Court and the Officers thereof, and the Business transacted in such Offices, and at the Time of being appointed shall be or have been an Advocate of the Court of Arches of *Ten Years* standing, or a Barrister-at-Law of the like standing, or have served as Registrar of the Court for a Period of *Five Years*. 35

Qualification
of future
Registrars.

XXIV. No Person shall hereafter be appointed Registrar or Principal Clerk to the Registrars who shall not be or have been an Advocate of the Court of Arches, a Barrister-at-Law, a Proctor in the Courts at Doctors Commons or in some Ecclesiastical Court in England or Wales, or a Solicitor of the Court of Chancery: Pro- 40 vided, that any Person who at the Time of the passing of this Act is acting as Registrar or Deputy Registrar of any Ecclesiastical Court,

Court, shall be eligible to the Office of Registrar, or Principal Clerk to the Registrars.

XXV. The Principal Registrar and Registrars shall execute their respective Offices in Person, and shall hold the same during their good Behaviour, subject to be removed by Order of the Lord Chancellor for some good and reasonable Cause to be in such Order expressed; the other Officers of the Court shall execute their respective Offices in Person, and not by Deputy, and shall hold their Offices during the Pleasure of the Lord Chancellor.

Principal Registrar, &c. to execute their Offices in Person, and to hold Office during good Behaviour. Other Officers to hold Office during Pleasure.

XXVI. The Servants and Messengers shall be appointed by the Principal Registrar, with the Approbation of the Lord Chancellor.

Servants and Messengers.

XXVII. All Persons who at the Time of the passing of this Act are Advocates of the Court of Arches shall be entitled to practise as Counsel in any of Her Majesty's Courts of Law or Equity in England or Wales, in like Manner in all respects, and with the same Rank and Precedence, and the same Eligibility to Appointments under Acts of Parliament or otherwise, as if they had respectively been duly called to the Degree of Barrister-at-Law on the Day on which they respectively were admitted as Advocates in the said Court of Arches.

Advocates admitted to practise as Barristers.

XXVIII. Every Person who at the Time of the passing of this Act is actually admitted and practising as a Proctor and Notary in the Courts in Doctors Commons, or any Ecclesiastical Court in England or Wales, may, at any Time after the passing of this Act, not later than *One Year* thereafter, be admitted as a Solicitor of the High Court of Chancery, upon the Production of his Admission as such Proctor and Notary, or an official Certificate thereof, and upon the Production of an official Certificate that such Admission continues in force, and upon signing the Roll of the Court of Chancery, but not otherwise; and such Admission shall entitle such Proctor so admitted as a Solicitor to be afterwards in like Manner admitted, if he shall so think fit, and to be enrolled, as an Attorney of Her Majesty's Superior Courts of Common Law at Westminster

Admission of Proctors as Solicitors.

XXIX. Every Person who at the Time of the passing of this Act is actually serving or has served as an Articled Clerk to a Person entitled to act as a Proctor in the Courts at Doctors Commons, or in some Ecclesiastical Court in England or Wales, and entitled to take such Articled Clerk, and who has not been admitted as a Proctor, shall be entitled, at any Time within *One Year* after his having completed his full Term of Service as such Articled Clerk, to

Admission of Articled Clerks to Proctors as Solicitors.

be admitted as a Solicitor of the High Court of Chancery, upon signing the Roll of the same Court, and with the like Privileges as if he had been admitted as a Proctor and Notary at the Time of the passing of this Act.

Solicitors.

XXX. All Solicitors of the High Court of Chancery shall be 5
Solicitors of the Court, and all Commissioners for taking Oaths in
the High Court of Chancery shall be Commissioners for taking Oaths
in the Court.

Laws in
force con-
cerning At-
tornies and
Solicitors
extended to
Solicitors of
the Court.
Orders to be
drawn up.

XXXI. All the Laws and Statutes now in force concerning
Attornies and Solicitors shall extend to Solicitors practising in the 10
Court.

XXXII. Every Order of the Court, when drawn up by the
Registrar, shall be entered by the Registrar in a proper Book to be
provided for that Purpose, and such Registrar shall furnish to every
Person requiring the same Office Copies of such Orders, or of such 15
Part thereof as may be required, which Copies shall be signed by
One of such Registrars, and sealed or stamped with the Seal of the
Court; and every such Office Copy, purporting to be signed, and
sealed or stamped with such Seal, shall at all Times, and on behalf
of all Persons, and whether for the Purposes of this Act or otherwise, 20
be admitted as Evidence of the Order of which it purports to be a
Copy, without any further Proof.

Accountant
General and
Taxing
Masters.

XXXIII. The Accountant General of the Court of Chancery and
the Taxing Masters of the same Court shall act as Accountant
General and Taxing Masters of the Testamentary Court. 25

Accountant
General.

XXXIV. Where any Order of the Court relates to the Payment,
Transfer, or carrying over of any Cash, Stock, Funds, Annuities,
Securities, or other Effects, to or into the Name of the Accountant
General of the Court of Chancery, to the Credit of any Cause or
Matter depending in the Testamentary Court, or other Payment, 30
Transfer, or carrying over, or other Disposal by the said Accountant
General of any Cash, Stocks, Funds, Annuities, Securities, or other
Effects which may be standing in his Name to the Credit of any
Cause or Matter depending in the Testamentary Court, the said
Accountant General, and all other Persons, including the Governor 35
and Company of the Bank of England, and all other Companies and
Societies, shall act upon such Order in the same Manner as if such
Order had been an Order of the Court of Chancery duly drawn up,
passed, and entered, and One of the Registrars of the Testamentary
Court shall certify under his Hand to the said Accountant General 40
what

what Stocks or Funds he is by virtue of any such Order to transfer, and to whom, in the same Manner as the Registrars in the Court of Chancery have been accustomed to do.

XXXV. All Orders or Decrees of the Court shall be liable to be
 5 reversed, altered, or varied on Appeal by the Lord Chancellor or Court of Appeal in Chancery; and an Appeal shall lie to the House of Lords from Orders or Decrees of the Court, and from Orders or Decrees made on Appeal by the Lord Chancellor, or the Court of Appeal in Chancery, in like Manner as from Orders or Decrees of the
 10 Court of Chancery.

Orders, &c. of the Court may be reversed.

XXXVI. Any Person desirous of proving any Will or obtaining Letters of Administration to the Effects of any deceased Person is, either personally or through a Solicitor, to apply for the same at the Testamentary Office of the Court, and leave or cause to be left in
 15 such Office the Will, if any, of the Deceased (unless the same shall have been previously deposited in the Court or the Registries thereof, or shall for any other Reason be not required to be left), and also a Copy of the Will, if any, and an Affidavit made by the Person or some One of the Persons applying for such Probate or Administra-
 20 tion, with a Schedule thereto, in a Form similar to the Form set forth in the Schedule A. to this Act, with such Variations as the Nature and Circumstances of the Case may require, and such other Papers as may be necessary for the Purpose of obtaining such Probate or Administration.

Mode of proceeding to obtain Probate or Administration.

25 XXXVII. Where the Person applying for such Probate or Administration shall be resident out of the Limits of the London District Post, such Application, together with the Documents necessary for the Purpose of obtaining such Probate or Administration, may be addressed and sent through the General Post Office to the Principal
 30 Registrar.

Where Person applying for Probate or Administration resides out of London District Post, Application may be made through the Post Office.

XXXVIII. The Principal Registrar shall cause printed Forms to be prepared and circulated, containing Directions to Commissioners for taking Oaths in the Court as to the Inquiries they are to make of Persons applying for Probate or Administration, and printed Forms
 35 of Affidavits, applicable as far as Circumstances will permit to the different Cases likely to arise, in order that such printed Forms of Affidavits may be filled up and signed, and sworn to by the Applicant.

Printed Forms to be prepared.

Principal Registrar to cause Probate or Administration to be granted.

XXXIX. If and when the Principal Registrar shall be satisfied upon any such Application as aforesaid, whether made directly at the Testamentary Office or sent to him through the General Post Office, that the same ought to be granted, he shall signify such Satisfaction to the Person making such Application, and subject to such Regulations as may be made by the Lord Chancellor as to the Mode of Payment of the Stamp Duty payable by Law on such Probate or Administration, and the Fees payable thereon, shall cause such Probate or Administration to be granted accordingly, and to be delivered or transmitted through the General Post Office to the Person making such Application as aforesaid or his Solicitor. 5 10

Form of Probate and Administration.

XL. Probate and Administration may be granted in the Form or to the Effect set forth in Schedule B. to this Act, with such Variations as the Nature and Circumstances of the Case may require.

Probates and Administrations to be printed.

XLI. Probate Copies of Wills and Letters of Administration, with or without the Will annexed, as the Case may be, shall be printed under the Direction of the Principal Registrar, who shall cause the Seal of the Court to be affixed to any One or more of the printed Copies which may be required by the Person proving the Will or taking out the Letters of Administration. 15 20

Principal Registrar to transmit printed Copy of Will to certain Offices.

XLII. The Principal Registrar shall, within such Time after the Grant of Probate or Administration as the Lord Chancellor shall by any General Order direct, cause a printed Copy thereof to be transmitted through the Post to each of the following Offices or Places; that is to say, 25

1. The Metropolitan Register Office of Births and Deaths in London :
2. The Office of Her Majesty's Prerogative in Dublin :
3. The Office of the Commissary of the County of Midlothian in Edinburgh :
4. The Office of the Registrar of Births and Deaths in the District within which the Deceased died, in all Cases where the Place of his Death shall be known to have been within any such District :
5. Such other Offices or Places, if any, as the Lord Chancellor shall from Time to Time direct. 30 35

Such printed Copy to be inspected on Payment of a Fee of Sixpence.

XLIII. Any printed Copy of a Will, Probate, or Administration to be so transmitted as aforesaid may be inspected by any Person, on Payment of a Fee of *Sixpence*.

XLIV. The

XLIV. The Principal Registrar shall also retain in the Testamentary Office so many printed Copies of the Will or Administration as he shall think necessary, for Inspection and Sale, having regard to the Nature of the Instrument, the Amount of the Property, and
5 the probable Demand for Copies thereof.

Principal Registrar to keep sufficient Number of printed Copies for Inspection and Sale to meet Demands.

XLV. Official printed Copies of Wills or Administrations to be proved or granted after this Act shall come into operation shall, so long as any Copies retained for Sale shall be undisposed of, be issued to any Person applying for the same, on Payment of such Fee
10 as shall be fixed for the same by any Order of the Lord Chancellor, to be made as herein-after mentioned.

Official printed Copies of Wills and Administrations to be issued to any Persons applying for same, on Payment of such Fee as the Lord Chancellor shall direct.

XLVI. Every printed Copy issued by the Principal Registrar shall be stamped in such Manner as to denote the Amount of ad valorem Duty which has been paid in respect of such Probate or Letters
15 of Administration.

Printed Copy to be stamped.

XLVII. Notwithstanding the Provisions herein-before contained an official written Copy of any Part or Portion of a Will, or of the whole thereof, may be obtained from the Testamentary Office, on Payment of such Fee as shall be fixed for the same by any Order
20 of the Lord Chancellor to be made as herein-after mentioned.

Official written Copy of Part of a Will may nevertheless be obtained.

XLVIII. The Principal Registrar shall also, within such Time after the Grant of any Probate or Administration as shall be appointed by the Lord Chancellor, cause a Note of such Probate or Administration, containing the Particulars mentioned in Schedule (A.)
25 to this Act, to be advertised in the London Gazette.

A Note containing Particulars of every Probate or Administration to be advertised in London Gazette.

XLIX. Every Executor or Administrator shall, within *Twelve* Calendar Months after the Grant of Probate or Administration to him shall have been made, file in the Testamentary Office an Inventory of the Estate and Effects of the Deceased for or in respect of
30 which the Probate or Administration shall have been granted, in such Form, containing such Particulars, and accompanied by an Affidavit in such Form or to such Effect, as the Lord Chancellor shall by general Order direct.

Executor or Administrator within Twelve Months to file Inventory of Effects of Deceased.

L. If any Executor or Administrator shall neglect to file such
35 Inventory and Affidavit as aforesaid within the aforesaid Period of *Twelve* Calendar Months, or within such further Time as shall be allowed by the Court for the Purpose, it shall be lawful for any

In case of Neglect of Executor or Administrator to file Inventory within such

Period,
Court, on
Application
of any Per-
son interest-
ed, may
order same
to be filed,
with Costs,

Person interested in the Estate of the Deceased to apply in a summary Manner to the Court; and upon such Application it shall be lawful for such Court to order that such Inventory and Affidavit shall be filed within such Time as the Court shall think fit, and to award such Costs against the Executor or Administrator, either 5 personally or out of the Estate, as it shall think right; and every such Order may be enforced in like Manner as other Orders of the Court.

Practice as
to Caveats in
the Court to
correspond
with Prac-
tice as to Ca-
veats in the
Prerogative
Court.

LI. Caveats against the Grant of Probates of Wills or of Adminis- 10 trations may be lodged in the Testamentary Office in like Manner, as near as may be, as Caveats are now lodged in the Prerogative Court, and the Practice and Proceedings under such Caveats shall, as near as may be, correspond with and be similar to the Practice and Proceedings under Caveats now in use in the Prerogative Court.

15

Commis-
sioners for
taking Oaths
to receive
and transmit
Caveats.

LII. Commissioners for taking Oaths in the Court shall be bound to receive, and to transmit through the Post to the Principal Registrar, Caveats against the Grant of Probates of Wills and Administrations on Receipt of such Fee for the same as shall be fixed by a General Order of the Lord Chancellor, and the Principal Registrar shall cause 20 to be prepared and issued printed Forms of such Caveats.

20

Instead of
Citation,
Summons to
be issued by
Testamen-
tary Office,
but accord-
ing to Prac-
tice of Prero-
gative Court.

LIII. In lieu of a Citation or other Processes now issuable from the Prerogative Court, calling upon Executors or other Persons to accept or refuse Probate or Administration, or to show Cause why it should not be granted to the Person suing out the Process, a Sum- 25 mons shall be issuable from the Testamentary Office, returnable before the Judge of the Court, and the Practice thereunder shall, as near as may be, and except so far as the same may be altered by any general Order of the Lord Chancellor in pursuance of the Provisions of this Act, correspond with and be similar to the Practice 30 now in use in the Prerogative Court with respect to such Citations or other Processes as aforesaid.

30

Suit to
establish
Will, &c.
may be insti-
tuted by Bill
or Claim.

LIV. Any Person having an Interest in and being desirous of establishing any Will of the Real Estate of any deceased Person, or of recalling or revoking any Probate or Administration which 35 may have been granted through the Testamentary Office, may institute a Suit in the Court for the Purpose, either by Bill or Claim, as he may be advised.

No Demurrer
for Want of
Parties, but

LV. It shall not be competent to a Defendant in any such Suit to demur to the Bill for Want of Parties thereto, or to require as of Right 40 that

that

that the Suit, whether commenced by Bill or Claim, should not proceed without having other Persons made Parties thereto than the actual Defendant or Defendants thereto, but in every such Case it shall be discretionary with the Court to proceed with such Suit, 5 and to determine the Questions arising therein, on being satisfied that there are before the Court in the Suit, either actually or by Representation, Parties having such an Interest in the Questions to be determined as that in the Judgment of the Court the same may safely be decided without requiring any other Person or Persons 10 to be made a Party or Parties thereto.

Suit to proceed, if Judge think fit.

LVI. The Determination of the Court in any such Suit, if the Court shall think fit so to declare by its Decree or Order therein, shall bind all Persons named or referred to therein by a particular or general Description, including Persons under Disability, whether 15 Parties to the Suit or not, and Persons unborn.

Decree or Order of Court to bind all Persons, including Persons under Disability, &c., whether Parties to Suit or not.

LVII. Any Person named or referred to by any such Decree or Order as last aforesaid, and purporting to be bound thereby, though not a Party to the Suit, may have such Relief, if any, against the same, by way of Re-hearing or Appeal, or otherwise, as he would 20 have been entitled to in case he had been originally made a Party thereto.

Saving Right of Appeal.

LVIII. So much of an Act passed in the Twenty-first Year of the Reign of King Henry the Eighth, Chapter Five, and of an Act passed in the Twenty-second and Twenty-third Years of the 25 Reign of King Charles the Second, Chapter Ten, and of an Act passed in the First Year of the Reign of King James the Second, Chapter Seventeen, as requires any Surety, Bond, or other Security to be taken from a Person to whom Administration shall be committed, shall be and the same are hereby repealed.

Sureties in Administration Bonds.

LIX. Every Person to whom any Grant of Administration shall be committed shall give Bond to the Judge of the Court for the Time being, and if the Court shall so require with One or more Surety or Sureties, conditioned for duly collecting, getting in, and administering the Personal Estate of the Deceased, which Bond shall 35 be in such Form as the Lord Chancellor shall from Time to Time by any general Order direct.

Bond.

LX. Such Bond shall be in a Penalty of *double* the Amount under which the Estate and Effects of the Deceased shall be sworn, unless the Court shall in any Case think fit to direct the same to be reduced, 40 in which Case it shall be lawful for the Court so to do, and also to

Penalty on Bond.

direct that more Bonds than One shall be given, so as to limit the Liability of any Surety or Sureties to such Amount as the Court shall think reasonable.

Power to
Court to
assign Bond.

LXI. The Court may, on Application made on Motion or Petition in a summary Way, and on being satisfied that the Condition 5 of any such Bond has been broken, order any One of the Registrars of the Court to assign the same to some Person, to be named in such Order as the Party to sue in respect of any Breach of the Condition thereof; and such Person shall thereupon be entitled to sue on the said Bond, in his own Name, both at Law and in 10 Equity, as if the same had been originally given to him instead of to the Judge of the Court, and shall be entitled to recover thereon as Trustee for all Persons interested (subject nevertheless to the Control and Direction of the Court) the full Amount recoverable in respect of any Breach of the Condition of the said Bond. 15

Pending
Suits.

LXII. All Suits, whether original or by way of Appeal, which shall be depending in any Court in England or Wales, respecting the Grant of Probate of any Will or Administration of the Effects of any deceased Person, shall be transferred, with all the Proceedings therein, to the Court, there to be dealt with and decided according to the Rules and 20 Practice of the Court, except so far as the Court may think it expedient to adopt, for the Purposes of such transferred Suits or any of them, the Rules or Practice of the Court in which the same shall have been pending, to which end the Court shall, for the Purposes of such Suits, be deemed and taken to have all the Powers and Jurisdiction to 25 all Intents and Purposes possessed by the Court from which such Suit shall be transferred: Provided always, that this Enactment shall not apply to Proceedings by way of Appeal pending before Her Majesty in Council, which Proceedings shall be carried on and prosecuted in the same Manner in all respects as if this Act had not passed: Pro- 30 vided also, that every Person, who if this Act had not passed might have appealed to Her Majesty in Council against any Proceeding, Decree, or Sentence of any Court respecting the Grant of any Probate or Administration, may, notwithstanding the Provisions of this Act, appeal to Her Majesty in Council against such Proceeding, Decree, or 35 Sentence: Provided also, that Her Majesty in Council may remit to the Court any Cause or Proceeding pending by way of Appeal as aforesaid, or to be brought before Her Majesty in Council upon Appeal as aforesaid, with such Directions as the Justice of the Case may require. 40

Proviso.

Proviso.

Proviso.

Power to
Judge of
Prerogative

LXIII. If at the Time when this Act shall come into operation any Cause or Matter which shall have been heard before the Judge of the Prerogative Court shall be standing for Judgment, it shall be lawful for

for such Judge, at any Time within *Six* Weeks after this Act shall have come into operation, to give in to One of the Registrars of the Court a written Judgment therein, signed by him, and a Decree or Order, as the Case may require, shall be drawn up in pursuance of
 5 such Judgment; and every such Decree or Order shall have the same Force and Effect as if it had been drawn up in pursuance of a Judgment of the Court on the Day on which the same shall be delivered to the Registrar, and shall be in like Manner subject to Appeal.

Court to deliver written Judgments.

10 LXIV. Where a Person has died or shall die wholly intestate as to his Personal Estate, or leaving a Will affecting Personal Estate, but without having appointed an Executor thereof willing and competent to take Probate, and it shall appear to the Court to be necessary or convenient in any such Case to appoint some Person to be the
 15 Administrator of the Personal Estate of the Deceased, other than the Person who, if this Act had not passed, would by Law have been entitled to a Grant of Administration of such Personal Estate, it shall not be obligatory upon the Court to grant Administration of the Personal Estate of such deceased Person to the Person who, if this
 20 Act had not passed, would by Law have been entitled to a Grant thereof, but it shall be lawful for the Court, in its Discretion, to appoint such Person as the Court shall think fit to be such Administrator, upon his giving such Security (if any) as the Court shall direct, and if in the Judgment of the Court, under the special
 25 Circumstances of any particular Case, it shall be proper or advisable so to do, to appoint as such Administrator a Person to be under the immediate Control of and immediately accountable to the Court, and to allow to such Person such Remuneration out of the Estate as the Court shall think fit.

Power as to Appointment of Administrator.

30 LXV. It shall be lawful for the Court to appoint an Administrator of the Personal Estate of any deceased Person pending any Suit in the Court touching the Validity of any Will of such deceased Person, or for the obtaining, recalling, or revoking any Probate of a Will or any Grant of Letters of Administration of his Personal Estate;
 35 and the Administrator so appointed shall have all the Rights and Powers of general Administrators, other than the Right of distributing the Residue of such Personal Estate after Payment of the Funeral Expenses and Debts of such deceased Person, except so far as such Rights and Powers may be limited or restricted
 40 by any Order of the Court; and every such Administrator shall be subject to the immediate Control of the Court, and act under its Direction.

Administration pending lite.

Receiver of
Real Estate.

LXVI. It shall be lawful for the Court to appoint a Receiver of the Real Estate of any deceased Person pending any Suit in the Court touching the Validity of any Will of such deceased Person.

Remunera-
tion to Ad-
ministrators
and Receiv-
ers pendente
lite.

LXVII. It shall be lawful for the Court to direct that Admini- 5
strators and Receivers appointed by the Court pending Suits therein
should receive out of the Personal or Real Estate of the Deceased (as
the Case may be) such reasonable Remuneration as the Court shall
think fit.

After Grant
of Adminis-
tration, no
Person to
have Power
to sue as an
Executor.

LXVIII. After any Administration shall have been granted by 10
the Court of the Personal Estate of any deceased Person, or any Part
thereof, no Person shall have Power to sue or prosecute any Suit or
otherwise act as Executor of the Deceased as to the Estate com-
prised in or affected by such Grant of Administration until the
same Grant shall have been by Act of the Court revoked or declared 15
to have been determined.

Revocation
or Determi-
nation of
temporary
Grants not
to prejudice
Actions or
Suits.

LXIX. The Revocation or Determination by Act of the Court of
any temporary Administration granted by the Court shall in nowise
prejudice any Proceedings at Law or in Equity which may have been
commenced by or against any Administrator so appointed ; but a Sug- 20
gestion may be made upon the Record, of the Revocation or Deter-
mination of such Administration, and of the Grant of Probate or
Administration which shall have been made consequent upon such
Revocation or Determination ; and the Proceedings which shall have 25
been commenced by or against the Administrator whose Adminis-
tration shall have been so revoked or determined shall be continued
in the Name of the Executor or Administrator constituted or appointed
in his Place, in like Manner in all respects, with reference to Liability
to Costs and otherwise, as if the Proceeding had been originally 30
commenced by or against the Executor or Administrator so last
established or appointed.

Court to
have like
Control over
Wills, &c. as
the Preroga-
tive Court.

LXX. The Court shall have the same or the like Power and
Control over all Wills and Testamentary Instruments, and over all
Papers or Writings purporting to be testamentary, as the Prerogative
Court now has or can exercise with respect to Matters within the 35
Jurisdiction of the same Court.

Court may
remove from
Registry or
cancel a
forged Will,
or restore a
Will which
has been
tampered
with.

LXXI. The Court shall have Jurisdiction to order the Re-
moval from the Registry or the Cancellation of any Will which
may be shown to the Satisfaction of the Court to have been forged,
or the Cancellation or Restoration of any Part of a Will which may 40
be shown to have been forged, altered, or tampered with.

LXXII. It

LXXII. It shall be lawful for the Court, on Motion, Petition, or otherwise, in a summary Way, whether any Suit shall be depending in the Court with respect to any Probate or Administration or not, to order any Person to produce and bring into the Testamentary Office of the Court, or otherwise as the Court may direct, any Paper or Writing, being or purporting to be testamentary, which may be shown to be in the Possession or under the Control of such Person; and if it shall not be shown that any such Paper or Writing is in the Possession or under the Control of such Person, but it shall appear that there are reasonable Grounds for concluding that he has the Knowledge of any such Paper or Writing, it shall be lawful for the Court to direct such Person to be examined upon Interrogatories respecting the same, and such Person shall be bound to answer such Interrogatories, and, if so ordered, to produce and bring in such Paper or Writing, and shall be subject to the like Process of Contempt in case of Default in not answering such Interrogatories, or not producing or bringing in such Paper or Writing, as he would have been subject to in case he had been a Party to a Suit in the Court, and had made such Default as aforesaid; and the Costs of all such Proceedings and of such Production as aforesaid shall be in the Discretion of the Court.

Order to produce any Instrument purporting to be testamentary.

Practice thereon.

LXXIII. It shall be lawful for but not obligatory upon the Court to direct the Validity of any Will, whether affecting Real Estate or Personal Estate, or both Real Estate and Personal Estate, to be tried at Law by a Jury.

Court may direct Validity of a Will to be tried by Jury.

LXXIV. In any Suit in the Court touching the Validity of any Will, whether affecting Real Estate or Personal Estate, or both Real and Personal Estate, it shall be lawful for any Party interested to require that the subscribing Witnesses to such Will, if living, and within the Jurisdiction of the Court of Chancery, shall be produced and examined in open Court: Provided, that the Court shall have Power to dispense with the Production and Examination of such subscribing Witnesses in Cases in which it shall deem it expedient so to do, and that the Costs attending such Production and Examination shall in all Cases be in the Discretion of the Court.

Attesting Witnesses to Will may be examined.

Proviso.

LXXV. It shall be lawful for any Person interested in the Real Estate of any deceased Person, whether such Person shall have died before or after the passing of this Act, to apply to the Court in any Suit, or upon Motion or Petition, in a summary Manner, without Bill or Claim filed, to appoint some Person to be the Representative of the Real Estate of such deceased Person or any Part thereof; and the Court, if it shall think fit, shall, upon Notice of

Power to Court to appoint Real Representative.

such Application to such Persons, if any, as it shall think fit, have Power to make such Appointment as to such Real Estate only of the Deceased as may not be vested in Trustees or a Trustee in trust for Sale, with Power to give Discharges to Purchasers, or over which there shall not be a Power of Sale exerciseable by any 5 Trustee or Trustees or other Person or Persons, with a like Power of giving Discharges to Purchasers, or any Part of such Real Estate.

Power to
Real Repre-
sentative to
sell and con-
vey ;

and to mort-
gage.

LXXVI. Every Real Representative so to be appointed shall have full Power to sell and convey the Real Estate of the Deceased, or so much thereof as shall be comprised in or affected by the Order 10 appointing such Real Representative, and to receive the Rents and Profits thereof, and to raise Money by Mortgage of the same, and to give Discharges for such Purchase and Mortgage Monies, and Rents and Profits, and shall apply the Money to be received by him for the Purposes and in the Manner in such Order to be expressed, but 15 no Purchaser or Mortgagee shall be in any Manner bound to see to such Application.

Representa-
tion of Real
Estates.

LXXVII. In all Suits respecting the Real Estate comprised in or affected by any Order appointing a Real Representative, the Real Representative so appointed shall represent such Real Estate 20 in the same Manner and to the same Extent as the Executor or Administrator of any deceased Person represents the Personal Estate of such deceased Person.

Act limited
to Estates of
Persons
dying after
this Act.

LXXVIII. Except where otherwise provided, none of the Provisions herein contained with reference to the Real Estate of 25 deceased Persons shall extend to the Real Estate of Persons dying before this Act comes into operation.

Limitation
of Time of
proceeding.
Twenty
Years.

LXXIX. Except as herein-after provided, no Suit or Proceeding shall be instituted or taken to revoke or recal any Probate of a Will or Grant of Administration, after the Expiration of *Twenty* 30 Years from the Date of such Probate or Administration.

Disability.

LXXX. If, at the Time of the granting any Probate or Administration with respect to the Estate of any deceased Person, the Person or some or One of the Persons entitled to revoke or recal such Probate or Administration shall have been or shall be under the 35 Disability of Infancy, Coverture, Idiocy, Lunacy, Unsoundness of Mind, or Absence beyond Seas, then and in such Case such Person so under Disability, or any Person claiming under him, may institute or take any Suit or Proceeding for the Purpose of revoking or recalling any Probate or Administration of his Estate within *Ten* 40 Years

Ten Years.

Years after the Removal of such Disability, or after the Death of the Person under Disability, which shall have first happened.

LXXXI. In Cases of Fraud it shall be lawful for the Person **Fraud.** aggrieved or supposed to be aggrieved thereby, or any Person claiming under him, to institute a Suit or Proceeding for the Purpose of revoking or recalling Probate of a Will or Grant of Administration, notwithstanding the Expiration of the limited Period hereinbefore fixed for the Purpose, provided the special Leave of the Court be previously obtained authorizing the Institution of such Suit or Proceeding, such Leave to be applied for by Petition or Motion, in a summary Way, and upon Notice to such Persons, if any, as the Court shall think fit, and to be granted upon such Terms, if any, as the Court may think fit to impose.

LXXXII. All Probates and Administrations granted before the **Void and voidable Probates and Administrations valid.** Time appointed for the Commencement of this Act, which may be void or voidable by reason only that the Courts from which respectively the same were obtained had not Jurisdiction to grant such Probates of Wills or Administration, shall be and be deemed for all Purposes whatsoever to be and to have been as valid as if the same had been obtained from the Courts entitled to grant such Probates and Administrations respectively: **Proviso.** Provided always, that any void or voidable Probate or Administration shall not be made valid by this Act when another Probate of the same Will or other Letters of Administration of the same Personal Estate shall subsequently, but before the Time appointed for the Commencement of this Act, have been granted out of the proper Court nor when such Probate or Administration shall have been revoked, or determined by any Court of competent Jurisdiction to have been void, before that Time; nor so far as the same respects any Personal Estate which at the Time of the passing of this Act shall be in the Possession of any Person who would not have been entitled thereto if the same Probate or Administration were valid; nor shall this Act prejudice or affect any Proceedings pending at the Time of the passing of this Act in which the Validity of any such Probate or Administration shall be in question between the Person claiming under the same and the Person claiming adversely thereto, and such Probate or Administration, if the Result of such Proceeding shall be to invalidate the same, shall not be rendered valid by this Act; and if such Proceedings shall abate or become defective by reason of the Death of any Party, any Person who but for this Act would have any Right by reason of the Invalidity of any such Probate or Administration shall retain such Right, so that he may commence Proceedings for

enforcing the same within *Six* Calendar Months after the Death of such Party.

Power to
make Rules
and Regula-
tions.

LXXXIII. It shall be lawful for the Lord Chancellor, at any Time after the *passing of this Act*, and from Time to Time, to make such Rules, Orders, and Regulations respecting the Form and 5 Mode of proceeding in the Court, and the Practice thereof, and the Conduct and Duties of the Officers and Practitioners therein, and, if he shall so think fit, for altering the Course of proceeding herein prescribed or referred to in reference to any of the Matters to which this Act relates, and also for regulating the Fees and Al- 10 lowances to Solicitors of the Court in relation to such Matters, as to him shall seem fit, and from Time to Time to repeal or alter such Rules, Orders, and Regulations; and all such Rules, Orders, and Regulations shall have the same Force and Effect as if the same had been enacted by Parliament: Provided always, that a Copy 15 of such Rules, Orders, and Regulations shall, immediately after the issuing of the same, be laid before both Houses of Parliament, if Parliament be then assembled, and if Parliament be not then assembled, then within *Five* Days after the meeting thereof: Provided also, that if either House of Parliament shall, by any Resolution 20 to be passed within *Thirty-six* Days after the same shall have been laid before such House, resolve or declare that such Rules, Orders, or Regulations, or any of them, ought not to remain in force, then and in such Case the same Rules, Orders, and Regulations, or such of them as shall be so objected to, shall from and after such Reso- 25 lution be abrogated and cease to be binding.

Judges of
present Ec-
clesiastical
Courts and
others, at
Request of
Principal
Registrar, to
transmit all
Wills, &c. in
their Posses-
sion, &c. to
the Record
Keepers, to
be deposited
in Testa-
mentary
Office, there
to be ar-
ranged for
Reference.

LXXXIV. The Acting Judge and Registrar of every Court, or Person, or Body Politic or Corporate, now having or exercising Jurisdiction to grant Probate or Administration, or other Person or 30 Persons having the Custody of the Documents and Papers of or belonging to such Court, or Person, or Body Politic or Corporate, shall, upon receiving a Requisition for that Purpose from the Principal Registrar, and at the Times and in the Manner mentioned in such Requisition, transmit all Wills, Administration Bonds, Notes of Ad- 35 ministration, Court Books, Calendars, Papers, and Documents appertaining exclusively to such Jurisdiction, to the Record Keepers of the Court, to be deposited in the Testamentary Office of the Court, and to be there arranged so as to be easy of Reference.

Penalty for
Default.

LXXXV. Any Judge, Registrar, or other Person who shall wilfully refuse or neglect so to transmit such Wills, Administration 40 Bonds, Notes of Administration, Court Books, Calendars, Papers, and Documents, or any of them, shall be liable to a Penalty of *One hundred*

hundred Pounds, to be sued for and recovered, together with full Costs of Suit, in any of Her Majesty's Superior Courts of Law at Westminster.

LXXXVI. It shall be lawful for the Lord Chancellor to cause
 5 such Arrangements to be made as he shall think fit with any
 Person, Body Politic or Corporate, for or with respect to the tem-
 porary Custody of the Wills, Administration Bonds, Notes of
 Administration, Court Books, Calendars, Papers, and other Docu-
 10 ments appertaining to the Jurisdiction of any Court, or Person,
 or Body Politic or Corporate, now having or exercising Jurisdiction
 to grant Probate or Administration, or for or with respect to the
 temporary Custody of any Part or Portion of such Documents
 until the same shall be required to be deposited in the Testamentary
 Office.

Power to
 Lord Chan-
 cellor to
 arrange for
 temporary
 Custody of
 Wills, &c.
 until same
 are deposited
 in Testamen-
 tary Office.

LXXXVII. In case any Principal Registrar, or other Officer
 appointed or to be appointed by virtue of this Act, shall by reason
 of Ill-health or other Infirmary become temporarily incapable of
 performing the Duties of his Office, or shall for any other reasonable
 Cause, to be allowed by the Lord Chancellor, apply to be relieved
 20 from the Discharge of the Duties thereof for a certain Time only, it
 shall be lawful for the Lord Chancellor to appoint some fit and proper
 Person to discharge the Duties of such Office for any Period not
 exceeding *Six* Calendar Months at any One Time, and the Person
 so appointed shall during such Period have all the Power and
 25 Authority of the Principal Registrar or other Officer in whose Place
 he shall be so appointed, and shall be paid by such Principal Registrar
 or other Officer such Sum by way of Salary or Allowance as shall
 be agreed upon between them respectively, to be approved of by
 the Lord Chancellor.

Appoint-
 ment of
 temporary
 Officers.

LXXXVIII. It shall also be lawful for the Lord Chancellor to
 authorize and direct One of the Registrars of the Court to discharge
 the Duties of the Principal Registrar during Vacations, or during
 the temporary or occasional Absence of the Principal Registrar, and
 the Registrar so authorized and directed to discharge such Duties
 35 shall, during Vacations, or such temporary Absence as aforesaid, have
 all the Power and Authority of the Principal Registrar.

Power to
 Lord Chan-
 cellor to
 direct Regis-
 trars to dis-
 charge the
 Duties of
 Principal
 Registrar
 during Va-
 cation, &c.

LXXXIX. If any Person hereby appointed to any Office under
 this Act, or any Person who shall accept any Office under this Act,
 shall engage in any other Employment whatever whilst he holds such
 40 Office, or if such Person, being or having been a Proctor, or Solicitor,
 or Attorney, shall directly or indirectly receive or secure to himself

Power to
 Lord Chan-
 cellor to re-
 move any
 Officer ap-
 pointed
 under this

Act engag-
ing in other
Employ-
ment.

Proctors,
Solicitors,
&c. appoint-
ed to any
Office under
this Act to
cease to be
Proctors in
the Courts at
Doctors
Commons,
and struck
off the Rolls,
as the Case
may be.
Registrars,
&c. to have
Power to
administer
Oaths.

any continuing Benefit from any Busines or Firm in which he may have been engaged previously to his Appointment to such Office, the Person so offending may be removed from his Office by Order of the Lord Chancellor, and shall be rendered incapable of afterwards holding any Office, Situation, or Employment in the Court.

5

XC. Every Proctor hereby appointed to any Office under this Act, and every Proctor, Attorney, or Solicitor who shall be appointed to and shall accept any Office under this Act, shall cease to practise as a Proctor, or Attorney, or Solicitor, and shall forthwith procure himself to be struck off the List of Proctors or off the Roll of any of Her Majesty's Courts at Westminster on which his Name may be.

10

XCI. The Principal Registrar and Registrars, appointed and to be appointed under this Act, shall respectively have full Power to administer Oaths; and any Person swearing before any such Principal Registrar or Registrars shall be liable to all such Penalties, Punish- 15
ments, and Consequences for any wilful and corrupt false Swearing as if the Matter sworn had been sworn before any Officer of the Court now authorized to administer Oaths.

Forging or
counterfeit-
ing Seal of
Court or
Signature of
Officers.

XCII. If any Person shall forge the Signature of the Principal Registrar or of any of the Registrars, or shall forge or counterfeit 20
any Seal of the Court, or knowingly concur in using any such forged or counterfeit Signature or Seal, or shall tender in Evidence any Document with a false or counterfeit Signature of such Principal Registrar or any such Registrar, or with a false or counterfeit Seal, knowing the same Signature or Seal to be false or counterfeit, every 25
such Person shall be guilty of Felony, and shall upon Conviction be liable to Penal Servitude for any Term not exceeding *Ten* Years and not less than *Four* Years, or to Imprisonment for any Term not exceeding *Three* Years, with or without Hard Labour.

Penalty.

This Act not
to affect the
Stamp Du-
ties on Pro-
bates and
Administra-
tions.

XCIII. Nothing in this Act contained shall affect the Stamp 30
Duties now by Law payable upon Probates of Wills and Letters of Administration; and all the Clauses, Provisions, Rules, Regulations, and Directions contained in any Act of Parliament relating to the said Duties, and to Wills, Probates of Wills, and Letters of Admin-
istration, for securing the said Duties, not superseded by or incon- 35
sistent with the express Provisions of this Act, shall be in full Force, and shall be observed, applied, and put in execution for securing the Duties payable on the Probates of Wills and Letters of Adminis-
tration granted under this Act, as if such Duties had been granted by this Act, and the said Clauses, Provisions, Rules, and Regulations 40
relating thereto were herein repeated and specially enacted.

XCIV. The

XCIV. The Principal Registrar shall, within a *Week* after Probate of any Will or Letters of Administration shall have been granted, deliver or cause to be delivered to the Commissioners of Inland Revenue, or their proper Officer, the following Copies respectively; that is to say, in the Case of a Probate or Administration with a Will annexed, a Copy of the Will, and of the Affidavit, with the Schedule thereto, required by Section Thirty-six of this Act; and in the Case of Letters of Administration without a Will annexed, a Copy of such Affidavit and Schedule; and in every Case of Letters of Administration, a Copy or Extract thereof; upon Payment for all such Copies of such Sum or Sums of Money or at such Rate as the Lord Chancellor shall, with the Approbation of the Commissioners of Her Majesty's Treasury, from Time to Time direct.

The Registrar to deliver Copies of Wills, &c. to the Commissioners of Inland Revenue.

XCv. It shall be lawful for the Lord Chancellor and he is hereby required to prepare or cause to be prepared, before the Time appointed for the Commencement of this Act, a Table of Fees, specifying what Fees are proper to be demanded and taken by the Officers of the Court, and he is hereby empowered from Time to Time to add to, reduce, alter, or amend the same as he may deem necessary and proper, and to cause the same to be inserted and published in the London Gazette; and no other Fees than those specified and allowed in such Table of Fees shall, under any Pretence whatsoever, be demanded or taken by such Officers.

Lord Chancellor to prepare Table of Fees to be taken by Officers of Court, with Power to vary the same as he may think fit, and to publish same in Gazette. No other Fees to be taken.

XCvi. No Officer of the Court shall be entitled to receive or retain for his own Use any Fee or Reward whatsoever; and if any Officer of the Court shall, for anything done or pretended to be done relating to his Office, Situation, or Employment, or under colour of doing anything relating to his Office, Situation, or Employment, wilfully take, demand, receive, or accept, or permit or allow any Person whatsoever to take for him or on his Account, or for or on account of any Person by him named, any Fee, Gift, Gratuity, or Emolument, or anything of Value other than his Salary, or what is allowed or directed to be taken by him under this Act or any Order to be made under this Act, the Person so offending, when duly convicted, shall forfeit and pay the Sum of *Five hundred Pounds*, and shall be removed from any Office, Situation, or Employment he may hold in the Court, and shall be rendered and he is hereby rendered incapable of ever thereafter holding any Office, Situation, or Employment in the Court, or otherwise serving Her Majesty, Her Heirs or Successors.

No Officer to retain for his own Use any Fees;

or accept Gratuity.

Penalty.

XCvii. Any such Offender may be prosecuted, either by Information at the Suit of Her Majesty's Attorney General, or by Criminal Information

Prosecution of Offenders.

Information before Her Majesty's Court of Queen's Bench, or by Indictment.

Fees not to be paid in Money, but by Stamps.

XCVIII. None of the Fees payable to the Officers of the Court, except as herein-after mentioned, shall be received in Money, *but the same shall be received by a Stamp denoting the Amount of the Fee* 5 *which otherwise would be payable: Provided always, that it shall be lawful for the Lord Chancellor to order that any Fees which it may appear to him cannot conveniently be collected by Stamps may be received in Money.*

So much of the Sutors in Chancery Relief Act as applies to the Collection of Fees by Stamps incorporated; except that separate Accounts to be kept.

XCIX. *All the Provisions of an Act passed in the Session of Par-* 10 *liament holden in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, intituled "An Act for the Relief of Sutors of " the High Court of Chancery," and of any Act or Acts incorporated therewith, so far as respects the Collection of Fees by means of Stamps, shall extend and apply to the Fees to be received under the Provisions* 15 *of this Act; save only that the Commissioners of Inland Revenue shall cause separate and distinct Accounts to be kept of all Sums of Money received or collected by them under the Provisions of any Orders to be made under the Provisions of this Act, and of all Costs, Charges, and Expenses incurred by them, or by their Direction, in carrying the* 20 *same into effect; and it shall be lawful for the said Commissioners to pay, and to deduct and retain out of such Monies, all such Costs, Charges, and Expenses, and also to deduct all Sums of Money repaid on Allowances for spoilt Stamps, and after such Deduction they shall* 25 *from Time to Time, and in such Manner as the Lord Chancellor shall* *by any Order direct, pay the same into the Bank of England, to the Credit of the Accountant General of the Court of Chancery, to be placed to an Account there, to be entitled "The Testamentary Fee Fund Account."*

Commissioners of Inland Revenue to retain Expenses, &c., and pay Residue into Bank of England to an Account, "The Testamentary Fee Fund Account."

Fees to be paid to the same Account.

C. Such of the Fees payable to the Officers of the Court as shall 30 be directed by the Lord Chancellor to be collected in Money shall, at such Times and in such Manner as shall be directed by the Lord Chancellor, be paid into the Bank of England, to the Credit of the said Account, to be entitled "The Testamentary Fee Fund Account." 35

Acts relating to Stamps under Commissioners of Inland Revenue incorporated.

CI. *The Provisions contained in the several Acts for the Time being in force relating to Stamps under the Care and Management of the Commissioners of Inland Revenue shall, so far as the same are applicable, and consistent with the Provisions of this Act, in all Cases not hereby expressly provided for, be of full of Force and Effect with* 40 *respect to the Stamps to be provided under or by virtue of this Act,* and

and to the Vellum, Parchment, or Paper on or to which the same Stamps shall be impressed or affixed, and be applied and put in execution for collecting and securing the Sums of Money denoted thereby, and for preventing, detecting, and punishing all Frauds, Forgeries, and
 5 other Offences relating thereto, as fully and effectually; to all Intents and Purposes, as if such Provisions had been herein repeated and specially enacted with reference to the said last-mentioned Stamps and Sums of Money respectively.

CII. It shall be lawful for the Lord Chancellor, by any Order or
 10 Orders to be from Time to Time made for that Purpose, to order Payment, at such Times and in such Manner as he shall think fit, out of the said Fund called the "Testamentary Fee Fund Account," of all such Sums as shall appear to him to be reasonable and proper to be paid for providing suitable Rooms and Buildings in which the
 15 Business of the Court and the Testamentary Office may from Time to Time be carried on, and for keeping Order, and for the Care and cleaning of all such Rooms and Buildings, and for the Rent, Taxes, Rates, Insurance from Fire, and other Outgoings charged upon or payable for or in respect thereof, and for the Enlargement, Altera-
 20 tion, or Improvement, Repairs, furnishing and fitting up of the same, and for the temporary Custody of such Wills, Administration Bonds, Notes of Administration, Court Books, Calendars, Papers, and Documents as aforesaid, and for the Books and Stationery which may be required for the Business of the Court and the Testamentary
 25 Office and the Officers thereof, and for the making, writing, printing, counting, and examining official Documents and Records of the Court and Offices, and other Copies of such Documents and Records, and for Coals and Candles and other necessary Articles for the Offices, and for all other necessary Expenses relating thereto.

Power to Lord Chancellor to provide Offices &c.

CIII. There shall be paid to the several Officers named in Schedule (D.) to this Act the several Salaries or yearly Sums set opposite to their respective Names or Titles in the same Schedule, and to such of the other Officers, Clerks, Servants, and Messengers appointed or to be appointed by or under the Provisions of this
 35 Act, such Salaries, yearly Sums, or other Remuneration as the Lord Chancellor, with the Consent of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct.

Salaries of Officers.

CIV. It shall be lawful for the Lord Chancellor, by Order, to remove any Officer or Person attached to or employed in the
 40 Testamentary Office of the Court who shall be afflicted with any Infirmary which shall disable him from the due Execution of his Office, and who shall refuse to resign or become incapable of resigning

Power to Lord Chancellor to remove any Officer becoming infirm or inca-

pable, and to the same, and upon such Removal to order to be paid to such Officer or Person so removed an Annuity or retiring Allowance, not exceeding *Two Third* Parts of the yearly Sum or Salary to which he shall be entitled at the Time of his Removal.

Mode of compensating retiring Officers, &c.

CV. It shall be lawful for the Lord Chancellor, by any Order 5 made on a Petition presented to him for that Purpose, to order, if he shall think fit, to be paid to any Person holding any Office or Appointment in the Court, or the Offices thereof, who shall be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, or shall have continued in any Office or 10 Offices of the Court for *Twenty* Years, and shall be desirous of resigning the same, a Superannuation Allowance, and thereupon such Officer or Person shall be entitled to receive such Superannuation Allowance, not exceeding *Two Thirds* of his Salary, as the Lord Chancellor, with Consent of the Commissioners of Her 15 Majesty's Treasury, shall think proper to direct; and in ascertaining and awarding the Amount of such Superannuation Allowance the Lord Chancellor and the Commissioners shall take into consideration the whole Period during which any such Officer or Person shall have been permanently employed in any Office or Situation in the 20 Court or any of the Offices thereof: Provided always, that as to such of the said Officers as shall have been previously Officers of or employed in the Prerogative Court, or in some Ecclesiastical Court, the Time during which they shall have been so employed shall for the Purposes of this Clause be deemed and taken as Part of the 25 Time during which they shall have continued to be Officers of the Court: Provided also, that the Lord Chancellor shall in every such Order state the Cause for making the same, and shall cause a Copy of such Order to be laid on the Table of the Commons House of Parliament within *Fourteen* Days after the making of the 30 same, if Parliament be then assembled, and if Parliament shall not then be assembled, then within *Fourteen* Days next after the meeting thereof.

Proviso.

Proviso.

Compensation.

CVI. And whereas by the Abolition of the present Mode of Procedure in Matters Testamentary the Judges and Deputy Judges, 35 Registrars and Deputy Registrars, and other Persons holding Office in the Ecclesiastical Courts, who are lawfully entitled to receive certain Salaries or Fees payable in respect of the Transaction of Business in Matters Testamentary, will be wholly deprived thereof, and it is reasonable and fit that Compensation should be made to 40 such Persons in respect of such Losses: Be it therefore enacted, That it shall be lawful for every such Judge, Deputy Judge, Registrar, Deputy Registrar, and other Person to claim Compensation in respect

respect of such Salaries and Fees from the Commissioners of Her Majesty's Treasury, within *Six* Months from the Time when this Act shall come into operation; and it shall be lawful for the Commissioners of Her Majesty's Treasury, by Examination on Oath or
5 otherwise, and in such Manner as they shall think fit, to inquire into the Nature of the Office, and what was the Tenure, and what was the clear annual Amount, on an Average of *Five* Years immediately preceding the First Day of January One thousand eight hundred and fifty-five, of the lawful Salaries and Fees in respect of which Compensation shall be so claimed, and to require the Production of such
10 Evidence as they shall think fit, and the said Commissioners of Her Majesty's Treasury shall have regard to the Fact whether such Office shall have been exercised jointly or by Deputy, in which Case any joint Holder of the said Office, or the Person performing the Duties
15 of the Office by Deputy, shall be entitled to make claim in respect of the Emoluments actually received by him under or by virtue of any Arrangement entered into with the other joint Holder, or the Deputy, as the Case may be; and the Commissioners of Her Majesty's Treasury shall allot to such Officers, joint Holders of
20 Offices, and Deputies, and other Persons, such Sums or annual Sums in respect of their several Claims respectively, on an Average of *Five* Years immediately preceding the First Day of January One thousand eight hundred and fifty-five, as to them shall seem just: Provided, that in no Case shall any such Officer, joint Holder of an Office, or
25 Deputy, be entitled to receive any such Compensation unless he shall have held such Office, joint Office, or Deputyship for the Space of *Three* Years immediately preceding the First Day of January One thousand eight hundred and fifty-five; and provided also, that every such Officer, joint Holder of an Office, or Deputy, who shall have
30 held such Office, joint Office, or Deputyship for more than *Three* Years but less than *Six* Years immediately preceding the First Day of January One thousand eight hundred and fifty-five, shall be entitled to *One Half* only of the Amount of Emolument so enjoyed by him as aforesaid, to be computed on the Average of the whole
35 Time during which he shall have held such Office.

CVII. And whereas it is apprehended that the Fees or Emolu- Proctors.
ments of the Persons now practising as Proctors in the several Ecclesiastical Courts will be materially curtailed by the Abolition of the exclusive Rights and Privileges which they have hitherto enjoyed
40 as such Proctors in the Ecclesiastical Courts in Matters Testamentary: Be it enacted, That the Commissioners of Her Majesty's Treasury, by Examination on Oath or otherwise, which Oath they are hereby authorized to administer, may inquire into and ascertain the net annual Amount of the Profits arising from Matters Testamentary

made by such Proctors (not being Solicitors or Attornies), on an Average of *Five Years* immediately preceding the First Day of January One thousand eight hundred and fifty-four, or of such Proportion of *Five Years* as shall have elapsed since such Proctor was admitted to practise in such Courts in respect to Matters Testa- 5 mentary, and to award to every such Proctor a Sum of Money or annual Payment during the Term of his natural Life of such Amount as the said Commissioners shall deem to be equitable: Provided, that such Sum of Money or Annuity so awarded shall not exceed in Value *One Half* of the net Profits derived by such Proctor in respect 10 of the Matters aforesaid, upon the said Average of *Five Years* immediately preceding the First Day of January One thousand eight hundred and fifty-four, or of such Proportion of the said *Five Years* as shall have elapsed since the Admission of such Proctors to practise in the Ecclesiastical Courts. 15

Compensa-
tion to
Proctors in
Partnership.

CVIII. And whereas divers Proctors practising in Ecclesiastical Courts now are or may at the Time of this Act coming into operation be associated together in Partnership: Be it therefore enacted, That in all such Cases the Commissioners of Her Majesty's Treasury shall inquire into and ascertain the Terms or Conditions 20 of such Partnerships, and shall award Compensation in respect thereof, as herein-before provided, to each of such Partnerships, in like Manner as if all the Emoluments thereof had been derived by One Individual, and shall apportion such Compensation among the Members of each such Partnership, regard being had to the existing 25 Terms and Conditions of the same.

Compensa-
tion to Judge
of Preroga-
tive Court.

CIX. There shall be awarded to the Judge of the Prerogative Court, by way of Compensation, an annual Sum equal in Amount to the net annual Value of the lawful Fees and Emoluments of his Office, according to such an Average prior to the Time of this Act 30 coming into operation as the said Commissioners of Her Majesty's Treasury shall think proper, and such annual Sum shall be payable to him during his Life.

Persons ap-
pointed to
Offices not
to receive
Compensa-
tion while
holding such
Offices, &c

CX. If any Person entitled under this Act to make such Claim for Compensation as aforesaid is or shall be appointed to any Office or 35 Employment under this Act, the Payment of the Compensation awarded to him under this Act, so long as he shall continue to receive the Salary or Emoluments of such Office or Employment, shall be suspended if the Amount of such Salary or Emoluments be equal to or greater than the Amount of such Compensation, and if 40 any such Person is or shall be appointed to any Office or Employment under this Act the Salary or Emoluments of which may be less than the

the Amount of such Compensation, such Person shall be entitled to receive the Difference existing between the Amount of such Salary or Emoluments and the Amount of such Compensation, and no more.

- 5 CXI. And whereas by an Act passed in the Ninth Year of the
 Reign of His late Majesty King George the Fourth, intituled "An
 " Act to authorize the Lord Archbishop of Canterbury for the Time
 " being to appoint a Person or Persons to the Office of Registrar
 " of his Prerogative without a previous Surrender of the existing
 10 " Grant or Grants of the said Office," after reciting (among other
 Things) that by virtue of a Grant of the Most Reverend John then
 late Archbishop of Canterbury, dated the Sixth Day of December
 One thousand seven hundred and ninety-nine, the Reverend George
 Moore and the Reverend Robert Moore then held the said Office,
 15 it was enacted that it should be lawful for the Archbishop of Canter-
 bury for the Time being and from Time to Time (nevertheless with
 the Confirmation of the Dean and Chapter for the Time being of the
 Cathedral and Metropolitan Church of Christ, Canterbury, to be
 testified as therein mentioned), notwithstanding any existing Grant or
 20 Grants for the Time being of the said Office, and without any pre-
 vious Surrender of such existing Grant or Grants, to grant the said
 Office to any One Person for his Life, or to Two Persons for their
 Lives and the Life of the Survivors of them, so nevertheless that
 there should not be altogether more than Three Lives in the said
 25 Office at one and the same Time, and each of the Grants thereby
 authorized should take effect so as to be subject and without Preju-
 dice to the Estates and Interests, Rights and Privileges, as well
 of the said George Moore and Robert Moore, and the Survivor of
 them, by virtue of the said recited Grant, as of all and every other
 30 Grantee or Grantees of the said Office for the Time being by virtue
 of any then existing Grant or Grants, and each of the Grants thereby
 authorized should have Priority respectively and successively over
 every subsequent Grant of the said Office: And whereas the Most
 Reverend Charles late Archbishop of Canterbury did, by virtue of
 35 the Power given by the last-recited Act, by Letters Patent under
 his archiepiscopal Seal, dated the Twenty-first Day of June One
 thousand eight hundred and twenty-eight, with the Confirmation of
 the Dean and Chapter of the Cathedral and Metropolitan Church
 of Christ, Canterbury, grant the said Office of Registrar of his
 40 Prerogative to the Right Honourable Charles Manners Sutton, now
 Viscount Canterbury, then Charles Manners Sutton, Esquire, the
 eldest Son and next Heir Male of the Right Honourable Charles
 Manners Sutton, late Viscount Canterbury, for his Life, subject and
 without Prejudice to the Estates and Interests, Rights and Privileges,

Clause for
 Protection of
 the Interests
 of the Right
 Hon. Charles
 Viscount
 Canterbury.

of the said George Moore and Robert Moore, and the Survivor of them, by virtue of the said Grant of the Sixth Day of December One thousand seven hundred and ninety-nine: And whereas by an Act passed in the Session of Parliament held in the Second and Third Years of the Reign of His late Majesty King William the 5 Fourth, intituled "An Act for settling and securing Annuities on " the Right Honourable Charles Manners Sutton and on his next " Heir Male, in consideration of the eminent Services of the said " Right Honourable Charles Manners Sutton," it was enacted that an Annuity of Four thousand Pounds should be payable out of 10 and charged upon the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and be paid to the said Right Honourable Charles Manners Sutton, late Viscount Canterbury, during his Life, and should commence from the Time therein mentioned, and that after the Decease of the said Charles late Viscount Canterbury 15 One Annuity of Three thousand Pounds should be payable out of and charged upon the said Consolidated Fund, to be paid to the then Heir Male of the Body of the said Charles late Viscount Canterbury, during the natural Life of such Heir Male; and after reciting that the said Charles now Viscount Canterbury, then Charles Man- 20 ners Sutton, Esquire, the eldest Son and next Heir Male of the Body of the said Charles late Viscount Canterbury, stood possessed of a contingent beneficial Interest in the Office of Registrar of the Prerogative of the Lord Archbishop of Canterbury, it was further enacted, that in the event of the said Charles now Viscount Canter- 25 bury having succeeded to and being in the Possession of the said Annuity of Three thousand Pounds, and afterwards becoming entitled to the full Possession of the said Office of Registrar of the Prerogative of the Lord Archbishop of Canterbury, and to the Fees, Perquisites, Profits, and Emoluments thereof (provided the same should 30 exceed the annual Sum of Three thousand Pounds), then and in either of the Cases aforesaid the said Annuity of Three thousand Pounds should cease and determine and be no longer payable to the said Charles now Viscount Canterbury; provided nevertheless, that if the said Fees, Perquisites, Profits, and Emoluments of the 35 said Office of Registrar should not produce the net annual Sum of Three thousand Pounds to the said Charles now Viscount Canterbury, then there should be issued and paid out of the said Consolidated Fund such a Sum of Money annually as, together with the said Fees, Perquisites, Profits, and Emoluments, would make a clear 40 annual Income to the said Charles now Viscount Canterbury of Three thousand Pounds: And whereas the said Charles now Viscount Canterbury, upon the Decease of the said Charles late Viscount Canterbury, succeeded to and is now in possession of the Annuity of Three thousand Pounds, but he is not yet in pos- 45 session

session of the said Office of Registrar: Be it therefore enacted as follows: There shall be awarded to the said Charles now Viscount Canterbury, as a Compensation for the Fees, Perquisites, Profits, and Emoluments of the said Office of Registrar of the Prerogative
5 of the Lord Archbishop of Canterbury, an Annuity to be calculated upon the average yearly net Receipts of the legal Fees, Perquisites, Profits, and Emoluments of the said Office during such Period next preceding the Time when this Act shall come into operation as the Commissioners of Her Majesty's Treasury shall think proper;
10 and such Annuity shall commence from the Time of this Act coming into operation, if the said Charles Viscount Canterbury shall then be in possession of the said Office, and if not, then from the Time at which the said Charles Viscount Canterbury would have become entitled but for the passing of this Act to the full Possession of the
15 said Office, and to the Receipt of the Fees, Perquisites, Profits, and Emoluments thereof, and shall be paid to the said Charles Viscount Canterbury thenceforth during his Life; provided, that if the said Annuity by way of Compensation shall exceed the annual Sum of Three thousand Pounds, then the said Annuity of Three thousand
20 Pounds payable under the last-recited Act to the said Charles Viscount Canterbury shall, from and after the Commencement of the said Annuity by way of Compensation, cease and determine, and shall not be payable to the said Charles Viscount Canterbury; and in case the Annuity awarded by way of Compensation shall be less than
25 the net annual Sum of Three thousand Pounds, the Provision contained in the said recited Act passed in the Session of Parliament held in the Second and Third Years of His late Majesty King William the Fourth, for the Payment unto the Heir Male of the Body of the said Charles Viscount Canterbury out of the said Consolidated Fund of such a Sum of Money annually as, together with the
30 said Fees, Perquisites, Profits, and Emoluments, would make up a clear Income to him of Three thousand Pounds, shall, from and after the Commencement of the said Annuity by way of Compensation, be applicable to and be in force for the Purpose of making up,
35 together with the said Annuity so to be awarded in lieu of such Fees, Perquisites, Profits, and Emoluments as aforesaid, a clear annual Income of Three thousand Pounds to the said Charles now Viscount Canterbury during his Life.

CXII. All the Claim, Title, and Interest which at the Time of the
40 passing of this Act the Reverend Robert Moore, Clerk, has or is entitled to in or in respect of the Building at present used as the Public Registry of the Prerogative Court shall at the Time appointed for the Commencement of this Act vest in the Principal Registrar for the Time being of the Court, subject to the Payment of such Rents

The Registry
of Prerogative Court of
Canterbury
to vest in
Registrar of
the Court.

and the Performance and Fulfilment of such Contracts in respect thereof as the said Robert Moore, his Executors or Administrators, shall be subject to at the Time of such vesting.

Compensation to Rev. R. Moore for Building.

CXIII. In lieu of and Compensation for such Claim, Title, and Interest as aforesaid, the said Robert Moore, his Executors or Administrators, shall be entitled to receive, out of the Fund herein-after provided in that Behalf, such Sum or Sums of Money and in such Instalments as shall be agreed upon by Two competent Persons, one of whom shall be appointed by himself, his Executors or Administrators, and the other by the Commissioners of Her Majesty's Treasury, and in case such Persons disagree they shall appoint a Third, whose Award shall be final. 5 10

How Compensation to be paid.

CXIV. The Compensation payable to the Reverend Robert Moore, Clerk, in respect of such Claim, Title, and Interest as aforesaid in or in respect of the said Building at present used as the Public Registry of the Prerogative Court, shall be paid to the said Robert Moore, his Executors or Administrators, out of the Fund standing in the Name of the Accountant General of the Court of Chancery to the aforesaid Account, "The Testamentary Fee Fund Account." 15 20

Time of Payment of Salaries, &c.

CXV. All Salaries, Compensation Allowances, and Superannuations or retiring Allowances shall grow due from Day to Day, but shall be payable on the Third Day of February, the Third Day of May, the Third Day of August, and the Third Day of November in every Year, or on such other Days as the Lord Chancellor shall from Time to Time by any Order direct, and, except where otherwise provided by this Act, shall be paid to the Parties entitled thereto out of the Fund standing in the Name of the Accountant General of the Court of Chancery to the aforesaid Account entitled "The Testamentary Fee Fund Account," by virtue of any Order or Orders to be made from Time to Time for that Purpose, without any Draft from the Accountant General. 25 30

Power to Lord Chancellor to order Surplus of Testamentary Fee Fund to be paid into the Exchequer.

CXVI. If at the End of any Year there shall be a Surplus standing to the Credit of the said Account, "The Testamentary Fee Fund Account," after the Payment of the several Salaries and Sums of Money charged thereon by this Act, it shall be lawful for the Lord Chancellor, by any Order, to direct that the whole or any Part of such Surplus shall be paid into the Receipt of the Exchequer, to the Credit of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, at such Time and in such Manner as he shall think fit; and in the event of the said Fee Fund being at any Time 35 40

Time insufficient to defray the Salaries, Compensations, and other Charges thereon, *it shall be lawful for the Commissioners of Her Majesty's Treasury and they are hereby authorized and required to direct the Amount of such Deficiency to be charged upon and paid out of the Consolidated Fund.*

If Fund insufficient to defray Salaries, &c., Commissioners of the Treasury to provide for same.

CXVII. Every Probate or Administration granted by the Court with respect to the Effects of any Person dying domiciled in England or Wales shall be as valid and effectual with respect to the Personal Estate of the Deceased in Ireland or Scotland as with respect to his Personal Estate in England or Wales; and in like Manner every Probate or Administration granted by Her Majesty's Prerogative Court in Ireland with respect to the Effects of any Person dying domiciled in Ireland shall be as valid and effectual with respect to the Personal Estate of the Deceased in Great Britain as with respect to his Personal Estate in Ireland, and every Confirmation of Executors to any Person dying domiciled in Scotland shall be as valid and effectual with respect to the Personal Estate of the Deceased in England, Wales, or Ireland as with respect to his Personal Estate in Scotland: Provided always, that no Person transferring any Personal Estate to any Person claiming under any such Probate, Administration, or Confirmation as aforesaid shall be bound to inquire into the Domicile of the Deceased, if the Fact of such Domicile shall be stated on the Face of the Probate, Administration, or Confirmation, or be in anywise affected, though the Domicile of the Deceased may be untruly stated thereon.

Probate of Will or Grant of Administration of Effects of Person dying domiciled in England, Wales, or Ireland to be valid in Ireland or Scotland.

In like manner Probate or Administration granted by Her Majesty's Prerogative Court in Ireland to be valid in Great Britain. Proviso.

CXVIII. In citing this Act in other Acts of Parliament, or any Instrument, Document, or legal Proceeding, it shall be sufficient to use the Expression "The Testamentary Jurisdiction Act, 1855."

Short Title.

CXIX. This Act shall not extend to Scotland or Ireland, except where expressly mentioned.

Limit of Act.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Form of Affidavit and Schedule.

In the Testamentary Court.

(a) Insert the Names and Residences, and the Titles or Professions, of the Persons making the Affidavit.

In the Matter of the Estate of *A.B.*, deceased.

I, *C.D.*, (a)

of

the Person [*or One*

(b) Insert the Nature of the Grant, and Description of the Deceased.

of the Persons] applying for Probate [*or Administration*] of the (b) late of deceased,

make Oath, (c) and say as follows :

(c) In case of Quakers, solemnly affirm.

1. *The said A.B.* died on or about the _____ Day of _____ One thousand _____ hundred and _____ at (d)

(d) Insert Place of Death, or set forth the Reason why the same cannot be furnished.

2. The Personal Estate and Effects of the said Deceased which he any way died possessed of or entitled to, and for or in respect of which Probate [*or Administration*] is to be granted, exclusive of what the said Deceased may have been possessed of or entitled to as a Trustee for any other Person or Persons, and not beneficially, (e)

(e) Insert as to Leasehold Estates, if any.

and without deducting anything on account of the Debts due and owing from the said Deceased, are under the Value of _____ Pounds, to the best of my Knowledge, Information, and Belief. (f)

(f) If no Leasehold Estates, insert so here.

3. The Schedule hereunto annexed, to which I have set and subscribed my Name, contains, to the best of my Knowledge, Information, and Belief, the Nature and Description of the said Personal Estate and Effects.

Sworn at
Before me

SCHE-

SCHEDULE OF PERSONAL ESTATE.

	Value.
	£ s. d.
Household Goods, Linen, Wearing Apparel, Books, Plate, &c. at [<i>State where situate.</i>]	
Stock in Trade, Farming Stock, and Implements of Husbandry at [<i>State where situate.</i>]	
Property in the Public Stocks or Funds transferable at the Bank or South Sea House.	
Leasehold Property at [<i>State where situate.</i>]	
Property in Public Companies. [<i>State what Companies.</i>]	
Money out on Mortgage and other Securities. [<i>State what Mortgages or other Securities.</i>]	
Other Personal Property, not comprised under the fore- going Heads. [<i>State the Nature and Description.</i>]	

SCHEDULE (B.)

FORM OF PROBATE.

In the Testamentary Court.

BE it known, That on the Day of 18 ,
the last Will and Testament of *A.B.*, late of deceased,
hereunto annexed, was proved and registered in the Testamentary
Court, and that the Administration of all and singular the Goods,
Chattels, and Credits of the said Deceased, and any Way concerning
his Will, was granted by the Court to *C.D.*, the sole
Executor named in the said Will, he having been already sworn well
and faithfully to administer the same, and to make a true and perfect
Inventory of all and singular the said Goods, Chattels, and Credits,
and to exhibit the same into the Testamentary Office of the said
Court on or before the Day of 18 , and
also to render a just and true Account thereof.

Sworn under £ , and }
that the Testator died at }
in the County of on the (L.S.)
Day of 18 . }

FORM OF LETTERS OF ADMINISTRATION.

In the Testamentary Court.

BE it known, That on the Day of 18 ,
Letters of Administration of the Goods, Chattels, and Credits of *A.B.*,
late of , deceased, who died intestate, were granted by
the Testamentary Court to *C.D.*, of , the
Widow of the said Intestate, she having been already sworn well and
faithfully to administer the same, and to make a true and perfect
Inventory of all and singular the said Goods, Chattels, and Credits,
and to exhibit the same into the Testamentary Office of the said
Court on or before the Day of 18 , and
also to render a just and true Account thereof.

Sworn under £ , and }
that the Intestate died at }
in the County of on the (L.S.)
Day of 18 . }

SCHE-

SCHEDULE (C.)

Name of Deceased.	Description in Will and in Probate or Administration.	Place of Death.	Time of Death.	Nature of Grant.	Names and Description of Executors or Administrators.	Estate sworn under £.

SCHEDULE (D.)

	Annual Salary.
	£
The Principal Registrar	- - - - 2,000
The Five Registrars, each	- - - - 1,500

Testamentary Jurisdiction.

A

B I L L

To abolish the Jurisdiction of all the Ecclesiastical and Peculiar Courts in England and Wales respecting Wills and Administrations, to establish a distinct Court of Probate and Administration, and otherwise amend the Law in relation to Matters Testamentary.

*(Prepared and brought in by
Mr. Solicitor General, Sir George Grey, and
Mr. Attorney General.)*

*Ordered, by The House of Commons, to be Printed,
16 April 1855.*

Under 6 oz.

[Bill 77.]

4 July 1855. 18 & 19 VICT.



(Ireland.)

A

B I L L

TO

Enable Treasurers of Counties in Ireland to receive Payment of Expenses in certain Cases.

WHEREAS it is expedient in certain Cases to enable Grand Preamble.
Juries in Ireland to present to the Treasurers of their
respective Counties any necessary and proper Expenses
which such Treasurers, with the Sanction of such respective Grand
5 Juries, may have incurred in making any Assessment or Applotment
of Grand Jury Cess, for Payment of which Expenses no Provision
is now made by Law: Be it therefore enacted by the Queen's most
Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present Parlia-
15 ment assembled, and by the Authority of the same, as follows:

I. When the Treasurer of any County, with the Sanction of the Grand Jury
Grand Jury, shall have incurred or shall incur any necessary and may present
proper Expenses in making any Assessment or Applotment of Grand for certain
Jury Cess for Payment of which no Provision is made by Law, Expenses
20 it shall be lawful for the Grand Jury of such County, without Treasurers of
Counties.
[Bill 222.] previous

previous Application to Presentment Sessions, to present to be raised off and paid by such County all such necessary and proper Expenses as aforesaid as such Grand Jury may deem reasonable.

Treasurers of Counties.

(Ireland.)

A

BILL

TO

Enable Treasurers of Counties in Ireland
to receive Payment of Expenses in
certain Cases.

*(Prepared and brought in by
Mr. Attorney General for Ireland and
Mr. Solicitor General for Ireland.)*

*Ordered, by The House of Commons, to be Printed,
4 July 1855.*

[Bill 222.]

Under 1 oz.

13 July 1855. 18 & 19 VICT.



(Ireland.)

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Enable Grand Juries of Counties in Ireland to
present for Payment of Expenses in certain
Cases:

WHEREAS it is expedient in certain Cases to enable Grand Juries in Ireland to present any necessary and proper Expenses which may have been incurred with the Sanction of such respective Grand Juries, in making any Applotment of Grand Jury Cess, for Payment of which Expenses no Provision is now made by Law: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

- 10 I. When the Treasurer or other Officer of any County, with the Sanction of the Grand Jury, or in the County of Dublin with the Sanction of the Finance Committee, shall have incurred or shall incur any necessary and proper Expenses in making any Applotment of Grand Jury Cess for Payment of which no Provision is made by Law, Grand Jury may present for certain Expenses incurred by Treasurers of Counties.

[Bill 245.]

Law, it shall be lawful for the Grand Jury of such County, without previous Application to Presentment Sessions, to present to be raised off by such County all such necessary and proper Expenses as aforesaid as such Grand Jury may deem reasonable.

Continuance
of Act.

II. This Act shall continue in force for Two Years from the First 5
Day of August One thousand eight hundred and fifty-five, and to the
End of the then next Session of Parliament.

Treasurers of Counties.

(Ireland.)

A

B I L L

[AS AMENDED IN COMMITTEE]

To enable Grand Juries of Counties in
Ireland to present for Payment of
Expenses in certain Cases.

(Prepared and brought in by
Mr. Attorney General for Ireland and
Mr. Solicitor General for Ireland.)

Ordered, by The House of Commons, to be Printed,
13 July 1855.

[Bill 245.]

Under 1 oz.

13 July 1855. 18 & 19 VICT.



A

B I L L

TO

Abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of Trinity College, Dublin, and of certain Professors in the said College; and to repeal the Stamp Duties payable on Matriculations and Degrees in the said College.

WHEREAS by an Act passed in the Forty-first Year of His Preamble.
late Majesty King George the Third, Chapter Thirty-two, “for granting to His Majesty several Sums of Money
“for defraying the Charge of certain permanent Services in that Part
5 “of the United Kingdom called Ireland,” it was enacted, that it should
be lawful for the Lord High Treasurer and Under Treasurer of the
Exchequer or the Commissioners of His Majesty’s Treasury of that
Part of the United Kingdom called Ireland, then or for the Time
being, or any Three or more of them, by Warrant under their
10 Hands, to order and direct that any Sum or Sums of Money not
exceeding in One Year the Sums therein-after mentioned should be
paid for the Purposes therein-after expressed; among which Sums
were the following; that is to say, “to the Provost and Fellows of
“Trinity College, Dublin, 358*l.* 16*s.* 11*d.* English Currency,” “to
[Bill 243.] “the

“ the said Provost and Fellows, for the Professor of the French and
 “ German Languages in the said College, 92*l.* 6*s.* 2*d.* like Currency ;”
 and “ to the said Provost and Fellows, for the Professor of the Spanish
 “ and Italian Languages in the said College, 92*l.* 6*s.* 2*d.* like Cur-
 “ rency ;” which several Sums are also by the said Act made payable 5
 out of and are charged on the Consolidated Fund of Ireland, and are
 now charged on the Consolidated Fund of the United Kingdom : And
 whereas it is desirable that the said Payments should cease to be
 payable, and that all Stamp Duties payable on Matriculations and
 Degrees in the said College should also be abolished : Be it enacted 10
 by the Queen’s most Excellent Majesty, by and with the Advice and
 Consent of the Lords Spiritual and Temporal, and Commons, in this
 present Parliament assembled, and by the Authority of the same,
 as follows :

Sums pay-
 able to
 Trinity Col-
 lege, Dublin,
 out of the
 Consolidated
 Fund to
 cease.

I. That all the said Sums of Money by the said Act made payable 15
 to the said Provost and Fellows of Trinity College, Dublin, shall from
 and after *the passing of this Act* cease to be payable.

The Stamp
 Duties on
 Matricula-
 tion and
 Degrees in
 Trinity
 College re-
 pealed.

II. All Stamp Duties payable under the Act of the Session holden
 in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-two,
 and the Act of the Fifty-fifth Year of King George the Third, Chapter 20
 One hundred and eighty-four, or under any other Act of Parliament,
 on the Admission or Matriculation of any Person in Trinity College,
 Dublin, and on the Admission of any Person to any Degree in the
 said College (whether conferred in the ordinary Course of the College
 or otherwise), or for the Registry or Entry of any such Admission, 25
 shall from and after the Date of *the passing of this Act* cease to be
 payable.

Trinity College (Dublin).

A

B I L L

To abolish certain Payments charged on the Consolidated Fund in favour of the Provost and Fellows of Trinity College, Dublin, and of certain Professors in the said College; and to repeal the Stamp Duties payable on Matriculations and Degrees in the said College.

(*Prepared and brought in by
the Chancellor of the Exchequer and Mr. Wilson.*)

*Ordered, by The House of Commons, to be Printed,
18 July 1855.*

[Bill 243.]

Under 1 oz.

22 May 1855. 18 VICT.



A

B I L L

TO

Alter and amend the Act of the First and Second Years of King William the Fourth, Chapter Thirty-seven, which prohibits the Payment of Wages in Goods, commonly called “The Truck Act.”

[Note—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS an Act was passed in the First and Second Preamble.
 Years of the Reign of His Majesty King William the
 Fourth, Chapter Thirty-seven, intituled “An Act to pro- 1 & 2 W. 4.
 hibit the Payment in certain Trades of Wages in Goods or other- c. 37.
 5 “wise than in the current Coin of the Realm;” and the said Act has
 been found insufficient for its intended Purpose by reason of the
 various Modes of Evasion resorted to by Persons employing Labour-
 ers in the said Trades, and the said Act requires to be amended: Be
 it therefore enacted by the Queen’s most Excellent Majesty, by and
 10 with the Advice and Consent of the Lords Spiritual and Temporal,
 and Commons, in this present Parliament assembled, and by the
 Authority of the same, as follows:

I. If in any of the Trades enumerated in the said recited Act any
 Goods, Wares, or Merchandise in the Profits or Sale of which any
 15 Employer shall, either directly or indirectly, have any Share or Interest
 [Bill 145.] shall

Artificer to have complete Disposal of

entire
Amount of
his Wages.

shall have been sold, delivered, or supplied to any Artificer, or to any one on his Behalf, in advance of any Settlement of Wages the Value of which shall have been stopped from or paid out of his Wages due at such Settlement at the Time of the Receipt thereof, or repaid as on account of Money lent, or otherwise passed in account between 5 the said Artificer and his Employer, or any one on his Behalf, or if, in order to secure Payment for such Goods, any Restraint shall be placed by the said Employer, or by any one on his Behalf, upon such Artificer, which shall prevent the said Artificer from having the full and complete Disposal of the entire Amount of his Wages, such Goods 10 shall be deemed to have been had and received by such Artificer on account of Wages, and the Delivery of such Goods to have been a Payment made otherwise than in the current Coin of the Realm, and to have been illegal, null, and void within the Intent and Meaning of the Third Section of the said recited Act. 15

Penalties on
Employers
entering into
Contract, &c.
hereby
declared
illegal.

II. Any Employer of any Artificer in any of the Trades enumerated in the said recited Acts who shall, by himself or by the Agency of any other Person or Persons, directly or indirectly, enter into any Contract or make any Payment declared illegal by the said recited Act or by this Act, shall for the First Offence forfeit a Sum not ex- 20 ceeding *Twenty Pounds* nor less than *Ten Pounds*, and for the Second Offence a Sum not exceeding *Fifty Pounds* nor less than *Twenty Pounds*: Provided always, that every Proceeding whatsoever for any Offence against the said recited Act or this Act may be commenced at any Time within *Six* Calendar Months after such Offence shall 25 have been committed.

Stipendiary
Magistrate
may act
alone.

III. Any Stipendiary Magistrate appointed for any City, Town, Liberty, or Borough, sitting at a Police Court or other Place appointed in that Behalf, may hear and determine alone any Informations under the said recited Act or this Act, and to do alone all Acts by 30 this Act or by the said recited Act authorized to be done by Justices of the Peace in Petty Sessions assembled.

Costs of
Prosecutions
for Combi-
nation to
defeat the
Act to be
allowed on
Conviction
and in Cases
of Acquittal
unless the
Court shall
otherwise
direct.

IV. On any Indictment for a Misdemeanor for unlawfully conspiring to defeat the Provisions of the said recited Act or this Act the Costs of the Prosecutions shall, upon Conviction, and in all Cases 35 of Acquittal, unless the Court shall otherwise direct, be allowed as directed by the Act of the Ninth Year of King George the Fourth, Chapter Sixty-four, and by the Act passed in the Session of Parliament held in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Fifty-five, amending the said last-mentioned 40 Act; and all the Provisions of the said Acts last mentioned empowering Courts to order Payment of Costs, Expenses, and Compensation for Trouble

Trouble and Loss of Time in Cases of the Misdemeanors in the said Acts mentioned, shall extend and be applicable to Indictments for Misdemeanors for unlawfully conspiring to defeat the Provisions of the said Acts herein-before first mentioned.

- 5 V. The said recited Act and this Act shall be construed together as One Act.

Recited Act
and this Act
to be con-
strued as
One Act.

Truck Act Amendment.

A

B I L L

To alter and amend the Act of the First and Second Years of King William the Fourth, Chapter Thirty-seven, which prohibits the Payment of Wages in Goods, commonly called "The Truck "Act."

(*Prepared and brought in by*
Mr. Charles Forster and Mr. Henry Bruce.)

Ordered, by the House of Commons, to be Printed,
22 May 1855.

[Bill 145.]

Under 1 oz.

24 *July* 1855. 18 & 19 VICT.



A

B I L L

TO

Enable Her Majesty to carry into effect a Convention made between Her Majesty, His Majesty the Emperor of the French, and His Imperial Majesty the Sultan.

WHEREAS His Imperial Majesty the Sultan has addressed Preamble.
Himself to Her Majesty and to His Majesty the Emperor
of the French to obtain Facilities for raising a Loan in
order to enable Him to prosecute with Vigour the War against
5 Russia in which He is at present engaged in conjunction with their
said Majesties His Allies: And whereas a Convention has been signed
between Her Majesty, His Majesty the Emperor of the French, and
His Imperial Majesty the Sultan, in which it was agreed as follows:

“ ARTICLE I.

- 10 “ Her Majesty the Queen of the United Kingdom of Great
“ Britain and Ireland undertakes to recommend to Her Parlia-
“ ment to enable Her to guarantee, conjointly with His Majesty
“ the Emperor of the French, and His Majesty the Emperor of
“ the French engages, subject to the Ratification of the Legis-
15 “ lative Body of France, to guarantee, conjointly with Her
“ Britannic Majesty, the Interest of a Loan of Five Millions
“ of Pounds Sterling to be raised by His Imperial Majesty
“ the Sultan.

[Bill 268.]

“ ARTICLE

“ ARTICLE II.

“ The Interest payable on the said Loan of Five Millions
 “ Sterling shall be at the Rate of Four per Cent. per Annum.
 “ There shall moreover be paid by the Sublime Porte the
 “ further Rate of One per Cent. per Annum on the whole 5
 “ Capital of Five Millions Sterling, by way of Sinking Fund.

“ ARTICLE III.

“ The Interest and Sinking Fund of the said Loan shall form
 “ a Charge on the whole Revenues of the Ottoman Empire, and
 “ specially on the annual Amount of the Tribute of Egypt 10
 “ which remains over and above the Part thereof appropriated
 “ to the First Loan, and moreover on the Customs of Smyrna
 “ and Syria.

“ His Imperial Majesty the Sultan engages that He will cause
 “ to be remitted to the Bank of England, on or before the Twenty- 15
 “ fifth of June and Twenty-fifth of December in each Year, the
 “ full Amount of One Half Year's Interest and Sinking Fund on
 “ the whole Amount of the said Loan to be raised under the
 “ conjoint Guarantee of Her Britannic Majesty and of His
 “ Majesty the Emperor of the French, or on so much thereof 20
 “ as may be raised, until the whole Capital borrowed shall be
 “ repaid.

“ ARTICLE IV.

“ Their Majesties the Queen of the United Kingdom of Great
 “ Britain and Ireland and the Emperor of the French, being 25
 “ desirous to save the Sublime Porte the Expenses of Remittance,
 “ consent to undertake to transmit to the Ottoman Government
 “ the Proceeds of the above-mentioned Loan of Five Millions
 “ Sterling to be raised under the conjoint Guarantee of Their
 “ Majesties. With this view it is agreed that the Contractors 30
 “ for the said Loan shall pay the Proceeds thereof into the
 “ Bank of England for the Account of the Turkish Govern-
 “ ment, to be transmitted to the Sublime Porte by the Agency
 “ of the Governments of England and of France.”

And whereas, in pursuance of Her Majesty's gracious Recommendation 35
 in this Behalf, it is expedient that Her Majesty should be enabled to
 carry into effect the said Convention: Be it therefore enacted by the
 Queen's most Excellent Majesty, by and with the Advice and Consent
 of the Lords Spiritual and Temporal, and Commons, in this present
 Parliament assembled, and by the Authority of the same, as follows: 40

Her Majesty
 empowered
 to guarantee

I. It shall be lawful for Her Majesty and She is hereby authorized
 to guarantee, in conjunction with His Majesty the Emperor of the
 French,

French, the Interest on the Loan to be raised by His Imperial Majesty the Sultan, upon the Terms and Conditions set forth in the said Convention, and for that Purpose the Commissioners of Her Majesty's Treasury are hereby authorized to cause to be issued from

Interest to
be charged
on Consoli-
dated Fund.

- 5 Time to Time out of the Consolidated Fund of the United Kingdom, or out of the growing Produce thereof, such Sums of Money as may at any Time be required to be paid to fulfil the Guarantee of Her Majesty in respect of such Interest as and when the same Interest may from Time to Time become payable, conformably to the Tenor
- 10 of Her Majesty's Engagement as specified in the said Convention, together with the attending Changes of Management thereon; provided always, that such Charge for Management shall in no Case exceed the Rate of *Three hundred Pounds* per Million of Capital on which such Interest shall be so payable.

- 15 II. The Commissioners of Her Majesty's Treasury shall cause such Sums as shall be from Time to Time paid in or towards the Repayment of any Money issued under this Act in respect of the said Guarantee of Interest to be carried to and form Part of the said Consolidated Fund.

Sums repaid
as Interest
to be carried
to the Conso-
lidated Fund.

- 20 III. The Commissioners of Her Majesty's Treasury shall cause to be prepared, and shall lay before both Houses of Parliament in the Month of February in every Year if Parliament be then sitting, and if Parliament be not sitting, then within Fourteen Days of the next Meeting of Parliament, an Account up to the Thirty-first December
- 25 then next preceding of the total Sums (if any) which shall from Time to Time be issued and applied by virtue of this Act for paying and satisfying any Interest so agreed to be guaranteed by Her Majesty, and any Charge for Management of the said Loan, and also of the total Sums, if any, which may have been repaid in respect
- 30 of any Advances for Payment of such Interest under the Act.

Accounts
to be laid
before
Parliament.

Turkish Loan.

A

BILL

TO

Enable Her Majesty to carry into effect a
Convention made between Her Majesty,
His Majesty the Emperor of the French,
and His Imperial Majesty the Sultan.

(*Prepared and brought in by*
Mr. FitzRoy, Viscount Palmerston, and
The Chancellor of the Exchequer.)

Ordered, by The House of Commons, to be Printed,
24 July 1855.

[Bill 268.]

Under 1 oz.

5 July 1855. 18 & 19 VICT.



A

B I L L

TO

Continue certain Turnpike Acts in Great Britain,
and to make further Provisions concerning
Turnpike Roads in England.

WHEREAS it is expedient to continue for limited Times Preamble.
the Acts herein-after specified, and to make further Pro-
visions concerning Turnpike Roads in England: Be it
enacted by the Queen's most Excellent Majesty, by and with the
5 Advice and Consent of the Lords Spiritual and Temporal, and Com-
mons, in this present Parliament assembled, and by the Authority of
the same, as follows:

I. Every Act now in force for regulating, making, amending, or
repairing any Turnpike Road in Great Britain which will expire on
10 or before the End of the next Session of Parliament shall be con-
tinued until the *First Day of October One thousand eight hundred*
and fifty-six, and to the End of the then next Session of Parliament,
except an Act of the Ninth Year of King George the Fourth, Chap-
ter Sixty-eight, "for more effectually repairing the Road from Great
15 " Grimsby Haven to Wold Newton Church, and from Nuns Farm to
" the Mill Field in the Parish of Irby in the County of Lincoln," and
except as herein-after mentioned.

All Turn-
pike Acts
which will
expire on or
before the
End of next
Session con-
tinued to
1st Oct. 1856,
&c., with
certain
Exceptions.

[Bill 227.]

A

II. The

Acts in
Schedule to
this Act
continued
till 1st Nov.
1856.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the *First Day of November One thousand eight hundred and fifty-six*, and no longer, unless Parliament shall in the meantime continue the same respectively.

Encroach-
ments not to
be made so
as to reduce
the Width of
Highways
which cease
to be Turn-
pike Roads.

III. Where any Road has ceased or may hereafter cease to be a 5
Turnpike Road, and has continued or may continue to be a High-
way, if any Person hereafter shall encroach on the Limits thereof
(as they existed immediately before such Highway ceased to be a
Turnpike Road) by making or causing to be made any Building or
Hedge, Ditch, or other Fence within the Distance of Thirty Feet, 10
if within Three Miles of any City or Market Town, or if beyond
that Distance from any City or Market Town, then within Twenty-
five Feet from the Middle or Centre of such Road, every Person so
offending shall forfeit on Conviction for every such Offence any Sum
not exceeding *Forty Shillings*, as in the Case of an Encroachment 15
under Section Sixty-nine of the Act of the Session holden in the
Fifth and Sixth Years of King William the Fourth, Chapter Fifty,
concerning Highways; and all the Provisions of the last-mentioned
Act concerning the Penalty thereby imposed, and the Removal of
the Encroachment prohibited by such Section, and the Expenses 20
of such Removal, shall apply to the Penalty hereby imposed, and
the Removal and Expenses of Removal of any Encroachment
prohibited by this Act.

Useless
Toll Houses
may be sold
without
being pulled
down.
4 G. 4. c. 95.
s. 57.

IV. So much of the Act of the Fourth Year of King George the
Fourth, Chapter Ninety-five, as provides, "that where any Toll 25
" House or Toll Houses standing on or adjoining any Turnpike Road,
" and which shall have been erected by or vested in the Trustees or
" Commissioners of such Road, shall become useless and be no longer
" required for the Purposes of such Road, it shall not be lawful for
" the Trustees or Commissioners of such Road to sell or dispose of 30
" such Toll House or Toll Houses, but in every such Case the
" Trustees or Commissioners of the Road on which such Toll House
" or Toll Houses no longer required shall stand shall cause such
" Toll House or Toll Houses, with the Outhouses attached or
" belonging thereto, to be pulled down, and the Materials thereof to 35
" be sold or removed," shall be repealed; and such Trustees or
Commissioners may, where they think fit, sell any such useless
Toll House and Outhouses, with the Site thereof, in like Manner, and
in the Cases and subject to the Regulations in and subject to
which the Site of a Toll House pulled down may now be sold and 40
disposed of.

V. Whereas

V. Whereas by Section Thirty-two of the Act of the Third Year of King George the Fourth, Chapter One hundred and twenty-six, it is enacted, that no Toll shall be demanded or taken by virtue of that or any other Act or Acts of Parliament on any Turnpike Road of or from any Inhabitant of any Parish, Township, or Place going to or returning from attending the Funeral of any Person who shall die and be buried in the Parish, Township, or Place in which any Turnpike Road shall lie :

3 G. 4.
c. 126. s. 32.,
exempting
Funerals
from Toll,
extended to
Funerals
in Burial
Grounds
without the
Parish pro-
vided under
15 & 16 Vict.
c. 85.,
16 & 17 Vict.
c. 134., or
17 & 18 Vict.
c. 87.

The said Enactment shall extend to exempt from Toll every Inhabitant of any Parish, Township, or Place going to or returning from attending the Funeral of any Person who shall be buried in any Burial Ground provided for the Parish, Township, or Place in which he died, under the Act of the Session holden in the Fifteenth and Sixteenth Years of Her Majesty, Chapter Eighty-five, the Act of the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and thirty-four, or the Act of the last Session of Parliament, Chapter Eighty-seven, or any Act passed or to be passed amending any of the said Acts, although such Burial Ground be not within the Limits of the Parish, Township, or Place for which it may have been provided.

VI. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1855."

Short Title.

VII. This Act shall not apply to Ireland.

Extent of
Act.

SCHEDULE.

- 52 G. 3.
c. lxxxi. An Act for repairing the Road from Chatham to Canterbury in the County of Kent.
- 53 G. 3.
c. cxxxiii. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Neat Enstone and Chipping Norton Turnpike Road, through Bicester, to Weston-on-the-Green in the County of Oxford, and for making a new Branch of Road to communicate therewith.
- 54 G. 3. c. xv. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the Warwick Road near Solihull to the Guide Post in Kenilworth, and from Stonebridge to meet the aforesaid Road at Balsall Common in the County of Warwick, so far as respects the said Road from Stonebridge to Balsall Common, and from thence to the said Town of Kenilworth.
- 54 G. 3. c. lv. An Act for continuing the Term and altering and enlarging the Powers of an Act of His present Majesty, for widening and maintaining the Road leading from the East Side of the Market Place in New Sleaford to and through the Town of Anwick in the County of Lincoln, and other Roads therein mentioned, in the said County; and for building a Bridge over the Witham at or near to Tattershall Ferry.
- 55 G. 3. c. xxxv. An Act for more effectually repairing the Road leading from Royston in the County of Hertford to Wandesford Bridge, and from the Town of Huntingdon to Somersham in the County of Huntingdon, so far as respects the Middle Division and separate District of the said Roads.
- 55 G. 3.
c. xxxviii. An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for amending the Road from the Bottom of Galley Hill to the Cross in Clanfield in the County of Oxford.
- 56 G. 3. c. xxxii. An Act for repairing and improving the Road from the Lyme Turnpike Road in the Parish of Gittisham to Sidmouth in the County of Devon.
- 56 G. 3. c. lxxii. An Act for continuing and amending Four Acts passed in the Reigns of Their late Majesties King George the First and King George the Second, and of His present Majesty, for repairing the Roads from Luton to Westwood Gate in the County of Bedford, and from Luton to Saint Albans in the County of Hertford.
- 57 G. 3. c. xviii. An Act for enlarging the Term and Powers of several Acts passed for repairing and widening the Roads from the East End of Brough-under-Stainmoor in the County of Westmorland, by the End of Appleby Bridge, to Eamont Bridge in the said County.
- 57 G. 3. c. liv. An Act for making and maintaining a Turnpike Road from the Town of Crowland in the County of Lincoln to the Town of Eye in the County of Northampton.
- 59 G. 3. c. x. An Act for more effectually making, straightening, repairing, and improving the Road from near the Town of Lewes to Polegate in the Parish of Hailsham,
and

and from thence to Eastbourne, and from Polegate to Hailsham Common, in the County of Sussex.

An Act to continue the Term and enlarge the Powers of Two Acts of His present Majesty's Reign, for repairing the Road from Rochdale Lane End in the Village of Heywood to a Place called the Lands End in Prestwich in the County Palatine of Lancaster. 59 G. 3. c. xciii.

An Act to continue the Term and alter and enlarge the Powers of several Acts passed for repairing the Road from Knaresborough to Green Hammerton in the County of York. 1 G. 4. c. ii.

An Act for continuing the Term and altering and enlarging the Powers of an Act of His late Majesty's Reign, for amending the Road leading out of the Highway from Wigan to Golborn and Warrington into the Road from Wigan to Ashton in Ashton in Mackerfield in the County Palatine of Lancaster. 1 G. 4. c. xiv.

An Act for enlarging the Term and Powers of an Act passed in the Thirty-seventh Year of His late Majesty, for repairing the Road from Hulmes Chapel in the County Palatine of Chester to the South Bridge in Chelford in the said County. 1 G. 4. c. xvii.

An Act for making and maintaining a Turnpike Road from or nearly from the Town of Stockport in the County Palatine of Chester to or near unto the Town of Warrington in the County Palatine of Lancaster, and a Branch of Road to communicate therewith. 1 G. 4. c. xxviii.

An Act for continuing the Term and altering and enlarging the Powers of an Act of the Forty-second Year of the Reign of His late Majesty King George the Third, for repairing and improving the Road leading from the City of Canterbury to the Town of Ramsgate in the County of Kent; and for suspending and varying for a further limited Time so much of an Act passed in the Twenty-seventh Year of the Reign of His said late Majesty as relates to the Toll Gate, and to the Tolls payable by virtue of the said Act, on the Road leading from the said City of Canterbury to the Isle of Thanet in the said County of Kent; and for altering the Line of certain Parts of the said Road. 3 G. 4. c. xxxix.

An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchin Hampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned. 3 G. 4. c. lxi.

An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from the Town of Guldeford to the Directing Post near the Town of Farnham in the County of Surrey. 3 G. 4. c. lxxvii.

An Act to continue the Term and alter and enlarge the Powers of an Act of His late Majesty King George the Third, for more effectually amending, widening, improving, and keeping in repair several Roads leading from the Hundred House in the County of Worcester, and also several other Roads therein mentioned. 3 G. 4. c. lxxxix.

An Act for amending the Road from the Devizes Turnpike Road, at or near Somerham Brook, through Melksham, to the Horse and Jockey in the Parish of Box in the County of Wilts, and certain other Roads leading out of the said Road, all in the said County. 4 G. 4. c. xxix.

- 4 G. 4. c. xxxi. An Act for repairing and improving the Road from Otley to Skipton in the County of York.
- 4 G. 4. c. lix. An Act for more effectually amending and keeping in repair the Roads from the Town of Uttoxeter to the Town of Newcastle-under-Lyme in the County of Stafford, so far as relates to the Uttoxeter District of the said Roads, and for making certain new Pieces of Road to communicate therewith, all in the said County of Stafford.
- 4 G. 4. c. lxxiii. An Act for repairing and widening the Road from Rugby in the County of Warwick to the Turnpike Road from Lutterworth to Market Harborough in the Counties of Leicester and Northampton.
- 4 G. 4. c. lxxvii. An Act for more effectually amending, repairing, and keeping in repair the Road from the Toll Gate in the Parish of Kettering, through Wellingborough, in the County of Northampton, and through Olney over Sherrington Bridge to Newport Pagnell in the County of Buckingham.
4. c. lxxxv. An Act for more effectually repairing the Road from the South End of Brown's Lane in the Parish of Great Staughton in the County of Huntingdon to the Bedford Turnpike Road in the Parish of Lavendon in the County of Buckingham.
- 5 G. 4. c. iv. An Act for more effectually amending, improving, and keeping in repair the Road leading from Penrith to Cockermouth, and several other Roads therein mentioned, all in the County of Cumberland.
- 5 G. 4. c. xxx. An Act for repairing, improving, and maintaining several Roads leading to and from Cerne Abbas in the County of Dorset.
- 5 G. 4. c. ciii. An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from Halifax to Sheffield in the West Riding of the County of York, so far as relates to the First District of the Roads mentioned in the said Acts.
- 6 G. 4. c. xv. An Act for more effectually repairing the Road from Bramcote Odd House in the County of Nottingham to the Cross Post upon Smalley Common in the County of Derby, and from Ilkeston to Heanor in the said County of Derby, and from Trowell in the said County of Nottingham to the Town of Nottingham.
- 6 G. 4. c. xxiv. An Act for more effectually repairing the Road from Grantham in the County of Lincoln to Nottingham Trent Bridge in the County of Nottingham.
- 6 G. 4. c. xlix. An Act for amending, maintaining, and improving the Roads from Bridgnorth to Cleobury North, and also through Ditton Priors to the Brown Clee Hill, and from Cleobury Mortimer to several Places therein mentioned, and other Roads branching therefrom, in the Counties of Salop and Worcester.
- 6 G. 4. c. lxxxii. An Act for more effectually repairing, widening, altering, and improving the Road from Welford Bridge in the County of Northampton to Milstone Lane in the Town of Leicester.
- 6 G. 4. c. lxxxvii. An Act for more effectually repairing and improving the Roads from Sheet Bridge to Portsmouth, and from Petersfield to the Alton and Alresford Turnpike Road near Ropley, in the County of Southampton; and for making and maintaining a new Branch of Road to communicate therewith.
- 6 G. 4. c. xc. An Act for amending and maintaining the Turnpike Road from Bawtry through the Town of Tinsley to the Road from Rotherham to Sheffield in the West Riding of the County of York.

An

An Act for more effectually repairing the Road from Greenhill Moor to 6 G. 4. c. ci.
Hernstone Lane Head Road, near Stony Middleton, and other Roads therein
mentioned, in the County of Derby, and in the West Riding of, the County of
York; and for making an Extension and Branch of Road therefrom.

An Act for amending, repairing, and maintaining the Road from Worksop 6 G. 4. c. cxlvi.
in the County of Nottingham to the North-east End of Attercliffe in the
County of York.

An Act for more effectually improving the Roads from Barnsley Common 6 G. 4. c. cli.
to Grange Moor and White Cross, and for making a Diversion of the said
Roads from or near to Redbrook in the Township of Barugh to Barnsley, all
in the West Riding of the County of York.

An Act for improving the Turnpike Road from Knaresbrough to the 7 G. 4. c. xiv.
Junction of the Road from Ripon to Pateley Bridge in the West Riding of
the County of York.

An Act for making and maintaining a Turnpike Road from the Great North 7 G. 4. c. xi.
Road at Barnby Moor in the County of Nottingham to the Turnpike Road
leading from Bawtry to Tinsley in the County of York, and from the said
Bawtry and Tinsley Turnpike Road, at the North-east End of Blackhill Lane,
to the Town of Rotherham in the said County of York.

An Act for making and maintaining a Turnpike Road from a Place called 7 G. 4. c. lxxx.
Coxbridge, near Farnham, in the County of Surrey, to Ramshill, near Peters-
field, in the County of Southampton.

An Act for making into a Turnpike Road a Road leading from the Cross 7 G. 4.
Gate in the Parish of Swineshead to the Southern Extremity of the Parish c. lxxxiii
of Fosdyke in the County of Lincoln, and repairing and maintaining the
same.

An Act for making and maintaining a Turnpike Road from Godley Lane 7 & 8 G. 4.
Head, near Halifax, to Northowram Green, in the West Riding of the County c. vi.
of York.

An Act for more effectually repairing and otherwise improving the Road 7 & 8 G. 4.
from the East End of Chapel Bar in Nottingham to the New China Works c. xxvii.
near Derby, and from the Guide Post in the Parish of Lenton to Sawley
Ferry, all in the Counties of Nottingham and Derby.

An Act for amending, repairing, and maintaining the Turnpike Road from 7 & 8 G. 4.
Rotherham to Swinton in the West Riding of the County of York. c. lviii.

An Act for repairing the Road from Blackburn in the County Palatine of 7 & 8 G. 4.
Lancaster to Addingham and Cocking End in the West Riding of the County c. lix.
of York; and for making and maintaining a new Road from Old Accrington
to the Burnley and Rochdale Turnpike Road in Habergham Eaves in the
said County of Lancaster, and a Branch therefrom.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act 7 & 8 G. 4.
relating to the Road from Barnsdale through Pontefract to Thwaite Gate c. lxxii.
near Leeds, and also of an Act relating to the Road from Leeds to Wakefield
in the West Riding of the County of York.

An Act to alter, amend, and enlarge the Powers and Provisions of several 9 G. 4. c. lxxiv.
Acts relating to the Road from Chester to Northop in the County of Flint.

An Act to alter, amend, and enlarge the Powers and Provisions of an Act 9 G. 4. c. ci.
for making a Turnpike Road from Wells next the Sea to Fakenham in the
County of Norfolk, and other Roads connected therewith.

Turnpike Acts Continuance.

A

B I L L

To continue certain Turnpike Acts
in Great Britain, and to make fur-
ther Provisions concerning Turnpike
Roads in England.

(Prepared and brought in by
Mr. Cooper and Sir George Grey.)

*Ordered, by The House of Commons, to be Printed,
5 July 1855.*

[Bill 227.]

Under 1 oz.

27 July 1855. 18 & 19 VICT.



(No. 2.)

A

B I L L

TO

Continue certain Turnpike Acts in Great Britain.

WHEREAS it is expedient to continue for limited Times the Acts herein-after specified: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in Great Britain which will expire on or before the End of the next Session of Parliament shall be continued until the *First Day of October One thousand eight hundred and fifty-six*, and to the End of the then next Session of Parliament, except an Act of the Ninth Year of King George the Fourth, Chapter Sixty-eight, "for more effectually repairing the Road from Great Grimsby Haven to Wold Newton Church, and from Nuns Farm to the Mill Field in the Parish of Irby in the County of Lincoln," and except as herein-after mentioned.

Preamble.

All Turnpike Acts which will expire on or before the End of next Session continued to 1st Oct. 1856, &c., with certain Exceptions.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the *First Day of November One thousand eight hundred and fifty-six*, and no longer, unless Parliament shall in the meantime continue the same respectively.

Acts in Schedule to this Act continued till 1st Nov. 1856.

[Bill 276.]

A

III. In

Short Title. III. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1855."

Extent of Act. IV. This Act shall not apply to Ireland.

SCHEDULE.

An Act for repairing the Road from Chatham to Canterbury in the County of Kent. 52 G. 3. c. lxxxi.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Neat Enstone and Chipping Norton Turnpike Road, through Bicester, to Weston-on-the-Green in the County of Oxford, and for making a new Branch of Road to communicate therewith. 53 G. 3. c. cxxxiii.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the Warwick Road near Solihull to the Guide Post in Kenilworth, and from Stonebridge to meet the aforesaid Road at Balsall Common in the County of Warwick, so far as respects the said Road from Stonebridge to Balsall Common, and from thence to the said Town of Kenilworth. 54 G. 3. c. xv.

An Act for continuing the Term and altering and enlarging the Powers of an Act of His present Majesty, for widening and maintaining the Road leading from the East Side of the Market Place in New Sleaford to and through the Town of Anwick in the County of Lincoln, and other Roads therein mentioned, in the said County; and for building a Bridge over the Witham at or near to Tattershall Ferry. 54 G. 3. c. lv.

An Act for more effectually repairing the Road leading from Royston in the County of Hertford to Wandesford Bridge, and from the Town of Huntingdon to Somersham in the County of Huntingdon, so far as respects the Middle Division and separate District of the said Roads. 55 G. 3. c. xxxv.

An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for amending the Road from the Bottom of Galley Hill to the Cross in Clanfield in the County of Oxford. 55 G. 3. c. xxxviii.

An Act for repairing and improving the Road from the Lyme Turnpike Road in the Parish of Gittisham to Sidmouth in the County of Devon. 56 G. 3. c. xxxii.

An Act for continuing and amending Four Acts passed in the Reigns of Their late Majesties King George the First and King George the Second, and of His present Majesty, for repairing the Roads from Luton to Westwood Gate in the County of Bedford, and from Luton to Saint Albans in the County of Hertford. 56 G. 3. c. lxxii.

An Act for enlarging the Term and Powers of several Acts passed for repairing and widening the Roads from the East End of Brough-under-Stainmoor in the County of Westmorland, by the End of Appleby Bridge, to Eamont Bridge in the said County. 57 G. 3. c. xviii.

An Act for making and maintaining a Turnpike Road from the Town of Crowland in the County of Lincoln to the Town of Eye in the County of Northampton. 57 G. 3. c. liv.

An Act for more effectually making, straightening, repairing, and improving the Road from near the Town of Lewes to Polegate in the Parish of Hailsham, 59 G. 3. c. x.

and from thence to Eastbourne, and from Polegate to Hailsham Common, in the County of Sussex.

- 59 G. 3. c. xciii. An Act to continue the Term and enlarge the Powers of Two Acts of His present Majesty's Reign, for repairing the Road from Rochdale Lane End in the Village of Heywood to a Place called the Lands End in Prestwich in the County Palatine of Lancaster.
- 1 G. 4. c. ii. An Act to continue the Term and alter and enlarge the Powers of several Acts passed for repairing the Road from Knaresborough to Green Hammerton in the County of York.
- 1 G. 4. c. xiv. An Act for continuing the Term and altering and enlarging the Powers of an Act of His late Majesty's Reign, for amending the Road leading out of the Highway from Wigan to Golborn and Warrington into the Road from Wigan to Ashton in Ashton in Mackerfield in the County Palatine of Lancaster.
- 1 G. 4. c. xvii. An Act for enlarging the Term and Powers of an Act passed in the Thirty-seventh Year of His late Majesty, for repairing the Road from Hulmes Chapel in the County Palatine of Chester to the South Bridge in Chelford in the said County.
- 1 G. 4. c. xxviii. An Act for making and maintaining a Turnpike Road from or nearly from the Town of Stockport in the County Palatine of Chester to or near unto the Town of Warrington in the County Palatine of Lancaster, and a Branch of Road to communicate therewith.
- 3 G. 4. c. lxiii. An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Road from the Market House in Tetbury to the Turnpike Road on Minchin Hampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned.
- 3 G. 4. c. lxvii. An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from the Town of Guldeford to the Directing Post near the Town of Farnham in the County of Surrey.
- 3 G. 4. c. lxxxix. An Act to continue the Term and alter and enlarge the Powers of an Act of His late Majesty King George the Third, for more effectually amending, widening, improving, and keeping in repair several Roads leading from the Hundred House in the County of Worcester, and also several other Roads therein mentioned.
- 4 G. 4. c. xxix. An Act for amending the Road from the Devizes Turnpike Road, at or near Somerham Brook, through Melksham, to the Horse and Jockey in the Parish of Box in the County of Wilts, and certain other Roads leading out of the said Road, all in the said County.
- 4 G. 4. c. xxxi. An Act for repairing and improving the Road from Otley to Skipton in the County of York.
- 4 G. 4. c. lix. An Act for more effectually amending and keeping in repair the Roads from the Town of Uttoxeter to the Town of Newcastle-under-Lyme in the County of Stafford, so far as relates to the Uttoxeter District of the said Roads, and for making certain new Pieces of Road to communicate therewith, all in the said County of Stafford.
- 4 G. 4. c. lxiii. An Act for repairing and widening the Road from Rugby in the County of Warwick to the Turnpike Road from Lutterworth to Market Harborough in the Counties of Leicester and Northampton.

An

An Act for more effectually amending, repairing, and keeping in repair the 4 G. 4. c. lxxvii.
Road from the Toll Gate in the Parish of Kettering, through Wellingborough, in the County of Northampton, and through Olney over Sherrington Bridge to Newport Pagnell in the County of Buckingham.

An Act for more effectually repairing the Road from the South End of 4 G. 4. c. lxxxv.
Brown's Lane in the Parish of Great Staughton in the County of Huntingdon to the Bedford Turnpike Road in the Parish of Lavendon in the County of Buckingham.

An Act for more effectually amending, improving, and keeping in repair the 5 G. 4. c. iv.
Road leading from Penrith to Cockermouth, and several other Roads therein mentioned, all in the County of Cumberland.

An Act for repairing, improving, and maintaining several Roads leading to 5 G. 4. c. xxx.
and from Cerne Abbas in the County of Dorset.

An Act for enlarging the Term and Powers of several Acts passed for 5 G. 4. c. ciii.
repairing the Road from Halifax to Sheffield in the West Riding of the County of York, so far as relates to the First District of the Roads mentioned in the said Acts.

An Act for more effectually repairing the Road from Bramcote Odd House 6 G. 4. c. xv.
in the County of Nottingham to the Cross Post upon Smalley Common in the County of Derby, and from Ilkeston to Heanor in the said County of Derby, and from Trowell in the said County of Nottingham to the Town of Nottingham.

An Act for more effectually repairing the Road from Grantham in the 6 G. 4. c. xxiv.
County of Lincoln to Nottingham Trent Bridge in the County of Nottingham.

An Act for amending, maintaining, and improving the Roads from 6 G. 4. c. xlix.
Bridgnorth to Cleobury North, and also through Ditton Priors to the Brown Cle Hill, and from Cleobury Mortimer to several Places therein mentioned, and other Roads branching therefrom, in the Counties of Salop and Worcester.

An Act for more effectually repairing, widening, altering, and improving the 6 G. 4.
Road from Welford Bridge in the County of Northampton to Milstone Lane c. lxxxii.
in the Town of Leicester.

An Act for more effectually repairing and improving the Roads from Sheet 6 G. 4.
Bridge to Portsmouth, and from Petersfield to the Alton and Alresford c. lxxxvii.
Turnpike Road near Ropley, in the County of Southampton; and for making and maintaining a new Branch of Road to communicate therewith.

An Act for amending and maintaining the Turnpike Road from Bawtry 6 G. 4. c. xc.
through the Town of Tinsley to the Road from Rotherham to Sheffield in the West Riding of the County of York.

An Act for more effectually repairing the Road from Greenhill Moor to 6 G. 4. c. ci.
Hernstone Lane Head Road, near Stony Middleton, and other Roads therein mentioned, in the County of Derby, and in the West Riding of the County of York; and for making an Extension and Branch of Road therefrom.

An Act for amending, repairing, and maintaining the Road from Worksop 6 G. 4. c. cxlvi.
in the County of Nottingham to the North-east End of Attercliffe in the County of York.

An Act for more effectually improving the Roads from Barnsley Common 6 G. 4. c. cli.
to Grange Moor and White Cross, and for making a Diversion of the said Roads from or near to Redbrook in the Township of Barugh to Barnsley, all in the West Riding of the County of York.

- 7 G. 4. c. xiv. An Act for improving the Turnpike Road from Knaresbrough to the Junction of the Road from Ripon to Pateley Bridge in the West Riding of the County of York.
- 7 G. 4. c. xi. An Act for making and maintaining a Turnpike Road from the Great North Road at Barnby Moor in the County of Nottingham to the Turnpike Road leading from Bawtry to Tinsley in the County of York, and from the said Bawtry and Tinsley Turnpike Road, at the North-east End of Blackhill Lane, to the Towp of Rotherham in the said County of York.
- 7 G. 4. c. lxxx. An Act for making and maintaining a Turnpike Road from a Place called Coxbridge, near Farnham, in the County of Surrey, to Ramshill, near Petersfield, in the County of Southampton.
- 7 G. 4.
c. lxxxiii. An Act for making into a Turnpike Road a Road leading from the Cross Gate in the Parish of Swineshead to the Southern Extremity of the Parish of Fosdyke in the County of Lincoln, and repairing and maintaining the same.
- 7 & 8 G. 4.
c. vi. An Act for making and maintaining a Turnpike Road from Godley Lane Head, near Halifax, to Northowram Green, in the West Riding of the County of York.
- 7 & 8 G. 4.
c. xxvii. An Act for more effectually repairing and otherwise improving the Road from the East End of Chapel Bar in Nottingham to the New China Works near Derby, and from the Guide Post in the Parish of Lenton to Sawley Ferry, all in the Counties of Nottingham and Derby.
- 7 & 8 G. 4.
c. lviii. An Act for amending, repairing, and maintaining the Turnpike Road from Rotherham to Swinton in the West Riding of the County of York.
- 7 & 8 G. 4.
c. lix. An Act for repairing the Road from Blackburn in the County Palatine of Lancaster to Addingham and Cocking End in the West Riding of the County of York; and for making and maintaining a new Road from Old Accrington to the Burnley and Rochdale Turnpike Road in Habergham Eaves in the said County of Lancaster, and a Branch therefrom.
- 7 & 8 G. 4.
c. lxxii. An Act to alter, amend, and enlarge the Powers and Provisions of an Act relating to the Road from Barnsdale through Pontefract to Thwaite Gate near Leeds, and also of an Act relating to the Road from Leeds to Wakefield in the West Riding of the County of York.
- 9 G. 4. c. lxxiv. An Act to alter, amend, and enlarge the Powers and Provisions of several Acts relating to the Road from Chester to Northop in the County of Flint.
- 9 G. 4. c. ci. An Act to alter, amend, and enlarge the Powers and Provisions of an Act for making a Turnpike Road from Wells next the Sea to Fakenham in the County of Norfolk, and other Roads connected therewith.

Turnpike Acts Continuance.

(No. 2.)

A

B I L L

To continue certain Turnpike Acts in
Great Britain.

*(Prepared and brought in by
Mr. Cooper and Sir George Grey.)*

*Ordered, by The House of Commons, to be Printed,
27 July 1855.*

[Bill 276.]

Under 1 oz.

20 July 1855. 18 & 19 VICT.



(Ireland.)

A

B I L L

TO

Continue certain Acts for regulating Turnpike Roads in Ireland.

WHEREAS certain Acts for making, amending, and repairing the Turnpike Roads in Ireland were, by an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of Her present Majesty, amended and continued for a Time therein limited: And whereas the said Acts were further continued from Time to Time, save as especially excepted: And whereas, under the Provisions of an Act of the last Session of Parliament, the said Acts, save as therein excepted, are further continued and will remain in force until the Thirty-first Day of July in the present Year, or, if Parliament be then sitting, until the End of the then Session of Parliament: And whereas it is expedient that the several Acts for making, amending, or repairing Turnpike Roads in Ireland should be further continued: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. Any Act for making, amending, or repairing any Turnpike Road or Roads in Ireland which will expire on the said Thirty-first Day
[Bill 264.]

Preamble.

4 & 5 Vict.
c. 6.

17 & 18 Vict.
c. 42.

Acts for
making
Turnpike

Day

Roads in
Ireland
which will
expire be-
fore 31st
July 1856
continued.

Day of July in the present Year, or at or before the End of the present Session of Parliament, or before the Thirty-first Day of July One thousand eight hundred and fifty-six, shall be and the same is hereby continued, as amended by the said recited Act of the Fourth and Fifth Years of Her Majesty's Reign, until the *Thirty-first Day 5 of July One thousand eight hundred and fifty-six*, or if Parliament be then sitting until the End of the then Session of Parliament, save the several Acts for repairing, making, or amending the Turnpike Trust Roads comprised in the "Dublin and other Roads Turnpikes Abolition Act, 1855," and specified in the Schedule A. to that Act 10 annexed.

Continu-
ation of Acts
specified in
Schedule A.
to the "Dub-
lin and other
Roads Turn-
pikes Abol-
ition Act,
1855."

Saving the
said Dublin
Act, and
Irish Acts
38 G. 3. c. 22.
39 G. 3. c. 52.

II. The several Acts for making, repairing, and amending the several Turnpike Trust Roads comprised in the said "Dublin and other Roads Turnpikes Abolition Act, 1855," and specified in Schedule A. to that Act annexed, shall be and the same are hereby 15 respectively continued until the *Fifth Day of January One thousand eight hundred and fifty-six.*

III. Nothing herein contained shall prevent the Operation of the said "Dublin and other Roads Turnpikes Abolition Act, 1855," or the Repeal of the several Acts set forth in Schedule A. to that Act 20 annexed, or shall extend or apply to the Acts of the Parliament of Ireland, Thirty-eighth George the Third, Chapter Twenty-two, and Thirty-ninth George the Third, Chapter Fifty-two.

Turnpike Acts Continuance
(Ireland).

A

B I L L

To continue certain Acts for regulating
Turnpike Roads in Ireland.

*(Prepared and brought in by
Mr. Horsman and Mr. Solicitor General
for Ireland.)*

*Ordered, by The House of Commons, to be Printed,
20 July 1855.*

[Bill 264.]
Under 1 oz.

5 July 1855. 18 & 19 VICT.



A

B I L L

TO

Confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts, and to extend the Provisions of the said Act.

WHEREAS, in pursuance of the Act of the Fifteenth Year of Her Majesty, "to facilitate Arrangements for the Relief of Turnpike Trusts, and to make certain Provisions respecting Exemptions from Tolls," certain Provisional Orders have been made by the Right Honourable Viscount Palmerston, then One of Her Majesty's Principal Secretaries of State, and by the Right Honourable Sir George Grey, now One of such Secretaries, for reducing the Rate of Interest, and for extinguishing in certain Cases the Arrears of Interest on the Mortgage Debts charged or secured on the Tolls or Revenues of certain Turnpike Roads, and such Orders have been published in the London Gazette, and in Newspapers circulating in the Neighbourhood of such Roads, and the Dates of such Provisional Orders, and the Acts under which the Tolls or Revenues on which such Debts are charged or secured are levied or raised, together with the Amount to which the Rate of Interest on

Preamble.
14 & 15 Vict.
c. 38.

such

[Bill 229.]

such Debts is to be reduced, and the Day up to which the Interest and Arrears of Interest on such Debts are to be extinguished by such Orders are mentioned in the Schedule to this Act : And whereas it is expedient that the said Provisional Orders should be confirmed and made absolute: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

Provisional
Orders con-
firmed.

I. That the said Provisional Orders are hereby confirmed and made absolute, and shall be as binding and of the like Force and Effect as if the Provisions thereof had been expressly enacted by Parliament.

II. And whereas the Provisions of the said Act of the Fifteenth Year of Her Majesty, for facilitating the Arrangements therein mentioned with the Creditors of Turnpike Trusts are confined to the Cases "where the Revenues of any Turnpike Road in England, " applicable to the Payment of the Interest upon the Principal Money " for the Time being charged or secured on the Tolls or Revenues " of such Road are insufficient for the Payment in full of such " Interest," and it expedient that such Provisions should be extended to other Cases :

Provisions of
recited Act
extended.

So much of the said Act as confines the Operation thereof to the Case where the Revenues of a Turnpike Road are insufficient for the Payment in full of such Interest as aforesaid shall be repealed, and the Provisions of such Act shall be applicable to and in the Case of any Turnpike Road in England (whether the Revenues thereof be or be not insufficient for such Payment as aforesaid).

Turnpike Trusts Arrangements.

SCHEDULE.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1854. 26 Aug.	5 W. 4. c. 26., "An Act for more effectually repairing the Road from the Exeter Turnpike Road to Biddaford, and certain Roads leading from Bridgetown Pomeroy, and Totnes, and other Roads communicating there-with; and for repairing Totnes Bridge, and erecting Bridges over the Stover Canal, the Rivers Teign and Lemon, and the Mill Leat, all in the County of Devon"	£ s. d. 2,700 0 0 680 0 0 25,300 0 0	No Reduction. } 4l. per Cent.	No Arrears extinguished.
26 Oct.	7 G. 4. c. 18., "An Act for amending and maintaining the Road leading from the Turnpike Road on Farrard's Common, in the Parish of Bradford, through Holt and Melksham to Homan's Stile in the Parish of Lacock in the County of Wilts, and the Road leading therefrom to the Bath Turnpike Road upon Kingsdown Hill in the same County"	2,754 18 0	2l. per Cent.	31st Dec. 1853.
6 Nov.	57 G. 3. c. 12., "An Act for making and maintaining a Turnpike Road from and out of the Turnpike Road at the Bottom of Coalbrook Dale, in the Parish of Maddeley, into the Turnpike Road leading from Shiffnal to Shrewsbury, at or near a Place called Watling Street, in the Parish of Wellington, all in the County of Salop"	4,300 0 0	4l. per Cent.	3 Dec. 1853.
6 Nov.	54 G. 3. c. 14., "An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from Canterbury Lane, within the Liberty of the Town of Folkestone, to a Place in the Parish of Folkestone, called Mudshole, and other Roads therein mentioned, in the County of Kent"	4,475 0 0	2l. per Cent.	31st Dec. 1854.
16 Dec.	3 G. 4. c. 61., "An Act for amending and improving the Roads leading from Tiltup's Inn in the Parish of Horsley, to or near Dudbridge in the Parish of Rodborough, and from the Bridge at Nailsworth to The Cross Post on Minchinhampton Common, and other Roads thereto adjoining; and for making a new Piece of Road from the said Bridge to The Cross in the Parish of Avening, all in the County of Gloucester." (So far as the same relates to the Nailsworth and Avening Branch Road.)	4,648 8 10	1l. per Cent.	31st Dec. 1853.
16 Dec.	5 G. 4. c. 44., "An Act for making and maintaining a Turnpike Road from Colne in the County of Lancaster, to communicate with the Road leading from Clitheroe in the same County, to Skipton in the County of York"	3,350 0 0	2l. per Cent.	31st Dec. 1853.

Turnpike Trusts Arrangements.

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1854. 16 Dec.	6 G. 4. c. 144., "An Act for repealing Two Acts " for repairing the Roads from Little Sheffield in the County of York to Sparrow Pit " Gate in the County of Derby; and also an " Act for making a Road from Banner Cross " in the West Riding of the County of York, " to Fox House in the County of Derby; and " for consolidating the Trusts of certain Roads " mentioned in the said Acts; and for amend- " ing and making certain other Roads to com- " municate therewith; and for other Purposes " relating thereto" - - -	£ s. d. 23,183 0 0	4l. per Cent.	31st Dec. 1854.
21 Dec.	7 G. 4. c. 82., "An Act for more effectually " repairing and improving the Road from " West Houghton to near Halliwell Field, in " the Township of Heath Charnock, in the " County of Lancaster" - - -	4,900 0 0	2l. per Cent.	31st Dec. 1854.
21 Dec.	5 G. 4. c. 82., "An Act for making and main- " taining a Turnpike Road from Roundhay " Bridge to Collingham in the County of " York" - - -	2,500 0 0 8,020 0 0	3l. per Cent. { One Penny per Cent.	No Arrears extinguished. 1st July 1854.
1855. 17 Jan.	7 G. 4. c. 9., "An Act for making and main- " taining a Turnpike Road from Cannock in " the County of Stafford to Penkridge in the " same County" - - -	1,400 0 0	1l. per Cent.	31st Dec. 1853
	" Act for more effectually re- " pairing and improving the Road from Hois- " ham to the Road leading to Guildford and " Atford Cross Wars. with Two Branches " therefrom, and for making and maintaining " a new Branch of Road to communicate there- " with, all in the Counties of Sussex and " Surrey." (So far as the same relates to the " Old Roads.) - - -	13,887 12 0	1l. per Cent.	31st Dec. 1854.
3 March	11 G. 4. c. 32., "An Act for repairing, amend- " ing, and maintaining the Road from Con- " gleton in the County of Chester to a Branch " of the Leek Turnpike Road at Thatchmarsh " Bottom in the Parish of Hartington in the " County of Derby, and from the Lowe to " the Havannah Mills in the said County of " Chester" - - -	5,550 0 0	2l. 10s. per Cent.	30th June 1854. (except as to Interest previously ordered to be paid).
7 March	3 W. 4. c. 53., "An Act for repairing and main- " taining the Road from Stone Street Hatch, " at Ockley in the County of Surrey to Warn- " ham in the County of Sussex" - - -	3,380 0 0	2l. 10s. per Cent.	31st Dec. 1853.

Turnpike Trusts Arrangements.

5

Date of Provisional Order.	TITLE OF LOCAL ACT.	Amount of Principal Debt.	Interest to be reduced to the following Rates per Annum.	Arrears of Interest to be extinguished to the following Dates.
1855.		£ s. d.		
16 Mar.	3 W. 4. c. 81., "An Act for more effectually repairing the Road from Storrington to Ball's Hut in Walberton in the County of Sussex"	950 0 0 4,550 0 0	2l. 10s. per Cent. One Penny per Cent. until the Preference Debt of 950l. is paid, and afterwards 10s. per Cent.	1st Jan. 1854.
24 Mar.	3 G. 4. c. 63., "An Act to enlarge the Term and Powers of several Acts for repairing and widening the Road from the Market House in Tetbury, to the Turnpike Road on Minchin Hampton Common, and several other Roads therein mentioned, all in the County of Gloucester, so far as the same Acts relate to the Second District of Roads therein mentioned"	3,754 17 0	2l. per Cent.	31st Dec. 1854.
28 April	3 W. 4. c. 97., "An Act for more effectually repairing and improving the Road from Buterton Moor End to the Turnpike Road leading from Buxton to Ashborne, and other Roads therein mentioned, in the Counties of Stafford and Derby, and for making several Diversions or new Lines of Road to communicate therewith"	3,687 14 9	3l. 10s. per Cent.	31st Dec. 1854.
24 May	3 G. 4. c. 67., "An Act for enlarging the Term and Powers of several Acts passed for repairing the Road from the Town of Guldeford to the directing Post near the Town of Farnham in the County of Surrey"	2,215 0 0	3l. per Cent.	1st Jan. 1855.
25 May	7 & 8 Vict. c. 72., "An Act for repairing, maintaining, and improving the Road from Flint Lane to Holmfirth, and thence to the Huddersfield and Woodhead Turnpike Road, and for making and maintaining a new Line of Road from the said Road at a Place called Bents to or near Dunford Bridge, all in the West Riding of the County of York." (So far as the same relates to the Holmfirth District of Road.)	1,500 0 0 3,944 18 0	2l. per Cent. One Penny per Cent.	31st Dec. 1854.
8 June	6 W. 4. c. 48., "An Act for more effectually repairing the Road from the Totnes Road at Lady Down in the Parish of Ugborough to within Four hundred Yards of the Bridge over the Lary, and for repairing the Road communicating therewith from Hollowcombe Cross to the Town of Modbury and Dark Lane, all in the County of Devon"	1,650 0 0 22,493 0 0 2,125 0 0	No Reduction 3l. per Cent.	No Arrears extinguished. 31st Dec. 1854.
13 June	6 G. 4. c. 84., "An Act for making and maintaining a Turnpike Road from Trebarwith Sands on the Sea Shore, to Candolden Bridge, on the Road leading from Bossiney to Camelford, all in the County of Cornwall"	2,478 19 0	2l. per Cent.	31st Dec. 1854.

Turnpike Trusts Arrangements.

A

B I L L

To confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts, and to extend the Provisions of the said Act.

(Prepared and brought in by
Mr. Cooper and Sir George Grey.)

*Ordered, by The House of Commons, to be Printed,
5 July 1855.*

[Bill 229.]

Under 1 oz.

28 February 1855. 18 VICT.



A

B I L L

TO

Alter and amend Two Acts of Her present Majesty,
so far as relates to the Union of Benefices, and
for the better securing the Residence of the
Clergy, and also to promote the building of
Churches and Chapels in certain Cases.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

WHEREAS by the Laws now in force any Two or more Preamble.
Benefices, or One or more Benefice or Benefices and One
or more Spiritual Sinecure Rectory or Rectories, Vicarage
or Vicarages, in the same Parish or contiguous to each other, and of
5 which the aggregate Population does not exceed One thousand five
hundred Persons, may be united by Order of Her Majesty in Council,
after such Inquiry and Notice, and with such Consent, and upon such
Certificate as is provided for in an Act passed in the First and Second
Years of the Reign of Her present Majesty, intituled “An Act to 1 & 2 Vict.
10 “abridge the holding of Benefices in Plurality, and to make better c. 106.
“Provision for the Residence of the Clergy,” without any Reference to
the yearly Value of the said Benefices; and it is desirable to alter and
amend the said Law: Be it therefore enacted by the Queen’s most
Excellent Majesty, by and with the Advice and Consent of the Lords
[Bill 47.] Spiritual

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Provision of
recited Act
only appli-
cable to
Benefices
under a cer-
tain Amount.

I. That after the passing of this Act the said Provision of the said Act shall only extend and be applicable to and for the Union of Two Benefices or One Benefice and One Spiritual Sinecure Rectory or 5 Vicarage, the aggregate yearly Value of which does not exceed *Six hundred Pounds*, and the Churches (or if there are more than Two, then the Churches which are the furthest from each other,) shall be within One Mile and a Half of one another by the nearest Road, and the annual Value of One of the said Benefices or Spiritual 10 Sinecure Rectory or Vicarage shall not exceed *Two hundred Pounds*, or the Population of One of them shall not exceed *One hundred* Persons according to the last Census taken by the Authority of any Act of Parliament: Provided always, that nothing herein contained shall be construed to alter the Provisions of the Twenty-sixth 15 Section of the said recited Act for annexing isolated Places to the contiguous Parishes, or making them separate Benefices.

Head
Masters of
Colleges not
to claim Ex-
emptions
from Penal-
ties for Non-
residence.

II. And whereas some of the Head Rulers of Colleges and Masters of endowed Public Schools are holding a Benefice with Cure of Souls, and do not reside on the said Benefice: Be it therefore enacted, That 20 no Spiritual Person who shall hereafter be appointed Head Ruler of any College or Hall within either of the Universities of Oxford or Cambridge, or Provost of Eton College, or Warden of Winchester College, or Head Master or Under Master of any Public School with an Endowment, shall be able to claim Exemption from any of the 25 Penalties or Forfeitures for or on account of Non-residence on any Benefice to which he has been or shall hereafter be admitted, instituted, or licensed, any Law, Statute, Canon, Usage, or Custom to the contrary notwithstanding, unless the said Benefice is permanently attached to or forms Part of the Endowment of his Office. 30

After next
Avoidance of
Benefices in
certain Cases
such Bene-
fices to con-
tinue void
until a
Church or
Chapel
has been
provided
thereon.

III. And whereas there are several Parishes in England and Wales that have no Church, and the Inhabitants of those Parishes are therefore left without Divine Service on Sundays, and it is desirable to promote the building of Churches in the said Parishes: Be it therefore enacted, That upon the next Avoidance of any Benefice 35 which has had no Church or Chapel belonging to it for *Ten Years* immediately preceding the said Avoidance, and where Divine Service has not been performed in the Parish during any *Twelve* consecutive Sundays within the last Three Years previous to such Avoidance, and which has a Population of Forty Persons or upwards, and which 40 has not been united to any other Benefice or Benefices, the said Benefice shall remain and continue void until a Church or Chapel is built

built wherein Divine Service shall be performed; and the Fees and Emoluments arising from the said Benefice shall from Time to Time, whilst it is void, be paid over to the Archbishop or Bishop of the Diocese, who, together with the Archdeacon of the Archdeaconry,
5 and Patron or Patrons of the said Benefice, shall act as Trustees for the Receipt of the said Fees and Emoluments, which shall be appropriated by the said Trustees for the Purpose of building or assisting to build a Church or Chapel for the said Benefice; and as soon as such Church or Chapel has been consecrated or licensed for Divine
10 Worship by the Archbishop or Bishop of the Diocese, then it shall be lawful for the Patron or Patrons to present to him a Spiritual Person to be instituted to the said Benefice, who shall enjoy all the Rights, Fees, and Emoluments, and perform all the Duties appertaining thereto, and who shall be under the same Ecclesiastical Control
15 and Authority as any other Incumbent in the same Diocese: Provided always, that if the said Archbishop or Bishop shall license any Room in the said Parish for Divine Service, then it shall be lawful for the Patron or Patrons to present to him a Spiritual Person for Institution to the said Benefice, who shall perform all the Duties appertaining
20 thereto, and who shall be under the same Ecclesiastical Control and Authority as any other Incumbent.

IV. That no Provision in this Act contained shall extend or be construed to extend to that Part of the United Kingdom called
Ireland. Act not to extend to Ireland.

Union of Benefices.

A

B I L L

To alter and amend Two Acts of Her present Majesty, so far as relates to the Union of Benefices, and for the better securing the Residence of the Clergy, and also to promote the building of Churches and Chapels in certain Cases.

(*Prepared and brought in by
Mr. Frewen and Mr. Greenall.*)

*Ordered, by The House of Commons, to be Printed,
28 February 1855.*

[Bill 47.]

Under 1 oz.

18 June 1855. 18 VICT.



A

B I L L

TO

Continue an Act of the Eighteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS by the Act of the Eighteenth Year of Her Majesty, Chapter Forty-three, certain Provisions made by the several Acts therein referred to, for charging upon the Common Fund of the Union the Costs of the Relief and of the Burial of certain poor Persons in those several Acts described, and the Costs of removing and maintaining certain Lunatic Paupers, were continued until the Thirtieth Day of September in this present Year, and to the End of the then next Session of Parliament; and it is expedient that such Provisions should be further continued for a limited Time: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

I. That all the said several temporary Provisions continued by the said Act of the Eighteenth Year of Her Majesty, Chapter Forty-three, [Bill 174.] shall

Preamble.
17 & 18 Vict.
c. 43.
Provisions in
recited Act,
17 & 18 Vict.
c. 43., further
continued.

shall further continue in full Force until the *Thirtieth Day of September One thousand eight hundred and fifty-six*, and to the End of the then next Session of Parliament.

Union Charges Act Continuance.

A

BILL

To continue an Act of the Eighteenth Year of Her present Majesty, for charging the Maintenance of certain poor Persons in Unions in England and Wales upon the Common Fund.

(*Prepared and brought in by
Mr. Baues and Mr. Grenville Berkeley.*)

*Ordered, by The House of Commons, to be Printed,
18 June 1855.*

[Bill 174.]

Under 1 oz.

2 July 1855. 18 & 19 VICT.



A

B I L L

INTITULED

An Act to make better Provision for the Union
of contiguous Benefices, and to facilitate the
building and endowing of new Churches in
spiritually destitute Districts.

WHEREAS an Act was passed in the Second Year of Her Majesty's Reign, intituled "An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy;" and in such Act Provision is contained authorizing the Union, by Order of Her Majesty in Council, after such Inquiry and Notice, and with such Consent and upon such Certificate as is therein mentioned, of Two or more Benefices, or One or more Benefice or Benefices, and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, in the same Parish or contiguous to each other, of which the aggregate Population should not exceed One thousand five hundred Persons, and the aggregate yearly Value should not exceed Five hundred Pounds: And whereas another Act was passed in the Fourteenth Year of Her Majesty's Reign, intituled "An Act to amend the Law relating to the holding of Benefices in Plurality," by which Act the Provision herein-before referred to

Preamble.
1 & 2 Vict.
c. 106.
13 & 14 Vict.
c. 98.

[Bill 210.] A was

was extended so as to be applicable to and for the Union of Benefices, Sinecuré Rectories, and Vicarages in the same Parishes or contiguous to each other, and of which the aggregate Population should not exceed One thousand two hundred Persons, notwithstanding the aggregate yearly Value should exceed Five hundred Pounds: And whereas it is expedient to amend the said recited Acts, and further to extend the same, so as to make better Provision for the Union of contiguous Benefices in Cases where such Union may be advantageous to the Interests of Religion: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the Authority of the same, as follows:

Contiguous Benefices may be united under this Act, without regard to the aggregate Population or yearly Value.

I. Under the Provisions of this Act, it shall and may be lawful to unite Two or more Benefices or One or more Benefice or Benefices and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, contiguous to each other, without regard to aggregate Population or aggregate yearly Value, and without any Limitation as to the same, and that the Union of such Benefices shall and may be effected in the Manner herein-after provided.

On Representation of Inhabitants of any small Parish that their Benefice might be advantageously united, Bishop of the Diocese shall inquire, and may certify to Church Building Commissioners.

II. Whenever it shall be represented in Writing to the Bishop of the Diocese by the Inhabitants of any Parish in Vestry assembled, or the major Part of them, or by the Vestrymen or Persons exercising the Powers of Vestry, or the major Part of them, that the Benefice of the Parish of which they are Inhabitants may, with Advantage to the Interests of Religion, be united to some other Benefice or Benefices, Rectory or Rectories, Vicarage or Vicarages, contiguous thereto, the Bishop of the Diocese to whom such Representation in Writing may be made shall inquire into the Circumstances of the Case; and if on such Inquiry it shall appear to such Bishop that such Union may usefully be made, and that the Patron or Patrons of the Benefices, Rectories, or Vicarages proposed to be united are consenting thereto, such Consent being signified in Writing under the Hands of such Patron or Patrons, or that the Patronage of any new Church or Churches proposed to be erected under this Act is to be vested in such Patron or Patrons as herein-after is provided, the said Bishop shall cause a Statement in Writing of the Facts, certified and signed by himself, to be submitted to Her Majesty's Commissioners for building new Churches, and the said Commissioners shall institute Inquiry, and, if they see fit, may propose a Scheme for the Union of such Benefices and for the other Purposes of this Act; and Her Majesty's said Commissioners shall and may for the Purposes of this Act exercise such Powers and Privileges as they now exercise or claim to exercise for the Purchase of Sites, the Erection of new

new Churches, and other Objects within the Commission of the said Commissioners, to the full Extent as such Powers and Privileges are now exercised or claimed to be exercised by the said Commissioners.

- III. Whenever it shall appear to the Commissioners for building
 5 new Churches, upon Inquiry into the Circumstances of the Case, that the total Revenue of any Benefices proposed to be united would be more than sufficient for the due Maintenance and Support of the Incumbent of the Benefice when united, and of such Curate or Curates as may be needed for the same, and that the whole or
 10 some specified Part or Parts of the Glebe Lands, Houses, Tithes, Tenements, or Hereditaments, or other permanent Endowments in lieu of Tithes, belonging to the Benefice or Benefices proposed to be united, or any of them, might with Advantage to the Interests of Religion be made subject to a certain annual Rentcharge in per-
 15 petuity in favour of some other specified Benefice in the same Diocese, or be excepted out of such Union, and transferred and annexed to such other specified Benefice having no Provision or competent Provision belonging thereto, as an Endowment or a further Endowment for the same, the Church Building Commissioners, with
 20 the Consent of the Patron or Patrons of the Benefices proposed to be united, may entertain or propose a Scheme or Plan for such Rentcharge or Transfer and Annexation: Provided always, that the Consents of such Patrons shall be signified in Writing, and that in any Case where the Patronage of any such Benefice may be vested in any
 25 Individual not wholly entitled to dispose of the same, the Consent of the next Heir, being of full Age, to the Right of such Patronage, shall also be signified in Writing.

Church Building Commissioners may propose Scheme for Transfer of surplus Revenues to poor Parishes.

- IV. The Church Building Commissioners, so soon as they shall have prepared a Scheme for the Purpose of more effectively
 30 carrying out the proposed Union of Benefices, shall seal the same with their Seal, and shall cause to be affixed on or near to the principal outer Door of the Church or Churches of the Parishes proposed to be united, and in the usual Place of Notice in the said Parishes, a Copy or Copies of such Scheme, and shall deliver
 35 Copies of the same to the Bishop of the Diocese, and to the Patrons, Ministers, Churchwardens, Overseers, and Vestry Clerks of the Benefices proposed to be united, together with a Notice to any Person or Persons interested, that they or any of them may within Six Weeks show Cause to the said Church Building Commissioners against the
 40 proposed Union of Benefices, or as to any Part or Parts of their Scheme relating thereto; and if within such Period of Six Weeks no Cause be shown, or if upon Consideration of any Objection the Church Building Commissioners shall be of opinion that the Cause

Scheme to be posted on Church Doors, &c.

Parties interested may show Cause against Scheme.

If no sufficient Cause shown, Commissioners

to certify to
Queen in
Council.

shown is not sufficient, the said Church Building Commissioners shall then certify the Statement and Certificate of the Bishop as aforesaid, together with their Scheme, to Her Majesty in Council, and thereupon it shall be lawful for Her Majesty in Council to make and issue any Order or Orders for uniting such Benefices into 5 One Benefice with Cure of Souls for Ecclesiastical Purposes, and for such other Purposes as are herein provided: Provided always, that if any Petition or Statement is lodged by way of Protest against the Scheme or any Part thereof, as herein-after is provided, no such Order or Orders in Council shall be made or issued until such 10 Petition or Statement has been duly considered.

Proviso.

Protests
against the
Scheme may
be con-
sidered by
Judicial
Committee.

V. It shall and may be lawful for any Person or Persons interested, who may have been heard by the Church Building Commissioners against the proposed Union of any Benefices, or against sub- 15 jecting the Endowments or Revenues thereof, or any Part of them, to any Rentcharge or Transfer or Annexation, or against any Part or Parts of any Scheme certified by them to Her Majesty in Council, to state in Writing, by way of Protest, his, her, or their Objections to such Union or any Part or Parts thereof, and the Church Building Commissioners shall annex such written Statement or 20 Protest to their Certificate to the Queen in Council, and Her Majesty in Council may order and direct that such Objections shall be considered by the Judicial Committee of the Privy Council; and the said Judicial Committee shall make Report to Her Majesty in Council thereupon, and may propose to Her Majesty in Council 25 to affirm, vary, or dismiss the Scheme certified by the Church Building Commissioners, or to return the same to the said Church Building Commissioners for Alteration or Amendment; and Her Majesty in Council may affirm, vary, or dismiss the Scheme accordingly, or return the same to the Church Building Commissioners to be recon- 30 sidered as to any Parts thereof.

Archbishops
and Bishops,
Members of
the Privy
Council, to
be Members
of the Ju-
dicial Com-
mittee on
all Appeals
under this
Act.

VI. And be it enacted, That every Archbishop and Bishop of the United Church of England and Ireland who now is or at any Time hereafter shall be sworn of Her Majesty's Most Honourable Privy Council shall be a Member of the Judicial Committee of the 35 Privy Council for the Purposes of every Appeal under this Act; and no such Appeal shall be heard before the Judicial Committee of the Privy Council unless at least One of such Archbishops or Bishops shall be present at the Hearing thereof.

Queen in
Council may
make Orders
affirming or
approving
any Scheme.

VII. It shall be lawful for Her Majesty in Council, by any 40 Order or Orders affirming or approving any Scheme of the Church Building Commission, and directing a Union of any Parishes, or by

by any other Order or Orders, to direct that such or such Part of any Lands, Tithes, Tenements, or Hereditaments, or other permanent Endowments of the Benefices proposed to be united, shall be subject to such Rentcharge, or excepted out of such

5 Benefice when united, and be transferred and annexed to such other specified Benefice, and upon the Order or Orders directing such Rentcharge or Transfer and Annexation coming into operation the Lands, Houses, Tithes, Tenements, or Hereditaments, or other permanent Endowments, so directed to be subject to such

10 Rentcharge, or to be transferred and annexed, shall, without any further Deed, Transfer, or other Assurance, become and be for ever subject to such Rentcharge or annexed to such Benefice, as the Case may be, and shall be held and enjoyed by the Incumbent thereof for the Time being as the Endowment or a Part of the Endowment

15 thereof, subject and without Prejudice, nevertheless, to all Leases, Grants, Rents, Charges, and Incumbrances existing at the Time of such Rentcharge or Transfer and Annexation legally affecting the same, except so far as any such Apportionment as aforesaid may affect the same respectively; and all such Lands, Houses, Tithes, Tenements,

20 and Hereditaments, or other permanent Endowments, when so transferred or annexed as aforesaid, shall belong to and the same and the Rents and Profits thereof shall be recoverable by the Incumbent of such Benefice for the Time being, in the same Manner and by the same Remedies as were applicable thereto before such Transfer and

25 Annexation.

VIII. The Order or Orders in Council affirming any Scheme, or directing any Union of Parishes, Rentcharge, Transfer, or Annexation as aforesaid, shall, as soon as may be after the making thereof by Her Majesty in Council, be inserted and published in the London Gazette,

30 and shall be registered in the Registry of the Diocese, and the Registrar of the Diocese is hereby required to make such Registry; and such Order in Council, so soon as the same shall have been gazetted, shall have full Force and Effect of Law in all respects and as to all Things therein contained, any Law, Statute, Canon, Grant, Usage, or

35 Custom to the contrary notwithstanding: Provided always, that nothing in this Act contained shall be construed to affect the Rights and Interests of any of the Incumbents of Benefices united under the Provisions thereof who at the Time of the making such Order in Council were in possession respectively of such Benefices, without the

40 Consent of such Incumbent expressed in Writing.

Orders in Council to be gazetted and registered, and to have Force of Law.

IX. If for the Purposes and Objects of this Act it shall be found necessary or desirable to provide for the Erection of any new Church or Parsonage House, for the pulling down or Removal of any existing

Church Building Commissioners may pro-
Church

pose Scheme
for Erec-
tion of new
Church or
Parsonage,
Removal of
old Church
or Parson-
age, Sale of
Site, &c.,
for Purposes
of this Act.

Church or Parsonage House, in either of the Benefices proposed to be united, for the Sale of the Materials or Site of the same, for the Appropriation of any Plate or other Property held in trust by the Churchwardens of any Church to be pulled down, for the Disposal of any Organ in such Church, for the Appropriation or Re-appropriation of any Pews orittings in the Church of the united Benefice left standing, for the Transfer of any Lectureships, the Sale of any Parsonage Houses, with their Appurtenances, for Compensation to Parish Clerks or other Officers, for Arrangement with respect to Fees or Vestry-rooms, it shall and may be lawful for the Church Building Commissioners to make Proposals thereupon as Part of their Scheme, and such Proposals or any of them shall be subject to Objection and Protest as herein provided. 5 10

No Burial
Ground, or
Site of
Church
wholly sur-
rounded by
Graveyard,
to be sold
under this
Act.

X. Nothing in this Act contained shall be taken or construed to legalize the Sale of any Burial Ground or Churchyard apart from the Site of any Church, or to legalize the Sale of the Site of any Church where such Church is wholly surrounded by any Churchyard or Burial Ground in which Interments may have been made; and if there shall have been any Interments or Deposits in any Grave or Vault under the Site of any Church to be removed by virtue of the Provisions of this Act, the Church Building Commissioners shall make Provision that all Coffins and Remains so interred or deposited shall be carefully removed, at the Cost and Charge of the Parties removing the Church, into One Vault, to be constructed on some Part of the Site of the said Church, or in the Churchyard attached unto the same, or in the Churchyard or consecrated Cemetery of the united Parishes, and that such Vault after such Remains are interred shall be carefully and completely closed; and if there shall be any Tablets or Monuments erected in such Church, such Tablets or Monuments, if not removed by the legal Representatives of the Parties to whom the same were erected, shall be carefully removed, at the Cost and Charge of the Parties removing the Church, and shall be fixed by them in some convenient Part of the Church thereafter to be constituted the Church of the united Parishes. 15 20 25 30

Vaults and
Tablets.

Church and
Vestry of
Church left
standing
to be the
Church and
Vestry of
united
Parishes.

XI. From and after the Union of any Two Benefices under this Act, the Church left standing and remaining within such united Benefice shall be the Church of the united Parishes, and all Meetings of Vestry for Ecclesiastical Purposes within such Parishes shall be Vestry Meetings of the Parishes united under this Act; and the Vestry-room of the Church left standing within such united Parishes shall be held to be the Vestry-room of the united Parishes for the Use of the Parishioners thereof, and also the Vestry-room for secular Purposes for the Parishioners of each of the Parishes forming the united 35 40

united Parish, and for the Care and Preservation of the Deeds, Muniments, and Records belonging to the same: Provided always, that nothing in this Act contained shall be taken or construed to interfere with any Privileges or Liberties whatsoever reserved to any
 5 Parishes in the City of London by an Act of the Twenty-second Year of His Majesty King Charles the Second, commonly called the City of London Fire Act.

XII. And whereas by the Act of the Session holden in the Sixth and Seventh Years of Her Majesty, Chapter Seventy-seven, it
 10 was enacted, that out of the Proceeds of any Lands, Tithes, Tenements, or other Hereditaments in the Principality of Wales, vested or to be vested in the Ecclesiastical Commissioners for England by or under the Provisions of the said recited Acts or that Act, it should be lawful, by the Authority therein mentioned, to make Provision, in
 15 whole or in part, for the competent Maintenance of any Spiritual Person or Persons (being a Native or Natives of the Principality aforesaid) who might be licensed by the Bishop of the Diocese for the Time being to officiate in any Church or Chapel within London or Westminster or the Suburbs thereof, duly consecrated for the
 20 Performance of Divine Service according to the Rites and Ceremonies of the United Church of England and Ireland, in the Welsh Language, and such Bishop was thereby authorized to license any Spiritual Person or Persons accordingly: It shall be lawful for the Bishop of London, if he sees fit, to appropriate for the Performance
 25 of Divine Service in the Welsh Language, so long as such Provision shall continue to be made by the Ecclesiastical Commissioners for England, One of the Churches within his Diocese which might under this Act be pulled down: Provided always, that before such Appropriation sufficient Provision shall be made to the Satisfaction
 30 of the said Bishop for the Repairs, Maintenance, and Support of the Fabric of the Church, so long as such Church remains so appropriated.

Bishop of London may, under certain Circumstances, appropriate for Service in Welsh One of the Churches in London otherwise to be pulled down.

XIII. And whereas Difficulties might arise in the Case of endowed Lectureships, when the Lectures have been customarily
 35 preached in a Church which may be taken down under the Authority of this Act: It shall therefore be lawful for the Bishop of any Diocese for the Time being to prepare from Time to Time under his Hand and Seal a Scheme or Schemes for transferring such Lectures to other Churches, to be preached therein at such Times as to the said
 40 Bishop may appear convenient; and such Scheme shall be submitted by the said Bishop to the Charity Commissioners under the "Charitable Trusts Act, 1853," and such Scheme, if approved of by them, or subject to such Alterations therein as may appear to the said Com-

Bishop may prepare a Scheme for Transference of Lectures from Churches to be pulled down.

missioners advisable, and as shall be approved of by the said Bishop, shall be valid for effecting the Purposes therein mentioned, and shall be registered in the Registry of the Diocese.

Church
Building
Commission-
ers may re-
appropriate
Pews of
Churches
left standing
in united
Benefices.

XIV. When any Church is pulled down, under the Provisions of this Act, Her Majesty's Commissioners for building new Churches, 5 with the Consent of the Bishop of the Diocese under his Hand and Seal, shall and they are hereby authorized to alter and readjust the Pews or Seats and the Appropriation thereof in the Church of the united Benefice left standing, so that not less than One Third of the Sittings in such Church shall be free and unappropriated, and the 10 Remainder be placed at the Disposal of the Churchwardens, under the Control and Direction of the Bishop, of such Church, for the Use of the Parishioners of such united Benefice.

Sites of
Churches
to be pulled
down to vest
in Church
Building
Commis-
sioners, in
trust to sell,
and apply
the Proceeds
to Purposes
indicated in
Order in
Council.

XV. After any Order in Council under this Act shall have obtained full Force of Law, the Fee Simple and Inheritance of the Site of any 15 Church by such Order in Council directed to be pulled down, and of the Building Materials of such Church, shall, without any further Transfer, Conveyance, or other Form of Law being had, observed, or required, belong to and be vested in Her Majesty's Commissioners for building new Churches, in trust to make Sale or dispose of such 20 Sites and Materials or any Part thereof, where the same may be sold, under the Powers and for the Purposes of this Act, and in further trust to apply the Proceeds of such Sale or Sales from Time to Time to such of the same Purposes as in the said Order in Council may be indicated; and the said Church Building Commissioners, with the 25 Consent of the Bishop of the Diocese under his Hand and Seal, may make a valid Conveyance in Fee Simple to any Body or Person of the Site of any Church or Parsonage House pulled down under this Act, or by virtue of any Order in Council authorized hereby: Provided always, the said Commissioners shall give Two 30 Calendar Months Notice in the London Gazette previous to the Sale or Disposal of such Site or any Part thereof, in order that thereby Facilities may be afforded for appropriating such Site to sanitary Purposes, public Improvements, or the Improvements of public Streets in the Vicinity; and if within Two Months from the Time 35 such Notice shall have been inserted in the London Gazette the said Commissioners shall not receive an Offer which in their Judgment shall be satisfactory for the Purchase of such Land for the Purposes aforesaid, it shall be lawful for them to make Sale or to dispose of such Ground, at such Time and at such Prices and in such Manner 40 as in their Discretion shall seem fit, and to apply the Proceeds of such Sale or Sales, from Time to Time, for or towards the Purposes herein-before mentioned.

Church
Building
Commission-
ers may make
valid Con-
veyances of
such Sites.
Proviso.

XVI. The

XVI. The Church Building Commissioners shall make an annual Report to Parliament respecting their Proceedings in pursuance of this Act.

Church
Building
Commission-
ers to report,

XVII. This Act shall extend only to that Part of the United Kingdom called England and Wales.

Extent of
Act.

Union of contiguous Benefices.

A

B I L L

INTITLED

An Act to make better Provision for
the Union of contiguous Benefices,
and to facilitate the building and en-
dowing of new Churches in spiritually
destitute Districts.

(*Brought from the Lords 2 July 1855.*)

*Ordered, by The House of Commons, to be Printed.
2 July 1855.*

[Bill 210.]
Under 2 oz.

1 August 1855. 18 & 19 VICT.



A

B I L L

[AS AMENDED IN COMMITTEE]

INTITULED

An Act to make better Provision for the Union of contiguous Benefices, and to facilitate the building and endowing of new Churches in spiritually destitute Districts.

[Note.—*The Clauses A. and B. were added in Committee.*]

WHEREAS an Act was passed in the Second Year of Her Majesty's Reign, intituled "An Act to abridge the holding of Benefices in Plurality, and to make better Provision for the Residence of the Clergy;" and in such Act Provision is contained authorizing the Union, by Order of Her Majesty in Council, after such Inquiry and Notice, and with such Consent and upon such Certificate as is therein mentioned, of Two or more Benefices, or One or more Benefice or Benefices, and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, in the same Parish or contiguous to each other, of which the aggregate Population should not exceed One thousand five hundred Persons, and the aggregate yearly Value should not exceed Five hundred Pounds: And whereas another Act was passed in the Fourteenth Year of Her Majesty's Reign, intituled "An Act to amend the Law relating to the holding of Benefices in Plurality," by which Act the Provision herein-before referred to

Preamble.
1 & 2 Vict.
c. 106.
13 & 14 Vict.
c. 98.

5
10
15

[Bill 284.] A was

was extended so as to be applicable to and for the Union of Benefices, Sinecure Rectories, and Vicarages in the same Parishes or contiguous to each other, and of which the aggregate Population should not exceed One thousand five hundred Persons, notwithstanding the aggregate yearly Value should exceed Five hundred Pounds: And whereas it is expedient to amend the said recited Acts, and further to extend the same, so as to make better Provision for the Union of contiguous Benefices in Cases where such Union may be advantageous to the Interests of Religion: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Contiguous Benefices may be united under this Act, without regard to the aggregate yearly Value.

I. Under the Provisions of this Act, it shall and may be lawful to unite Two or more Benefices or One or more Benefice or Benefices and One or more Spiritual Sinecure Rectory or Rectories, Vicarage or Vicarages, contiguous to each other, if the same or One of them are situated in Cities or Municipal Towns or Parliamentary Boroughs, the Population of such united Benefices not exceeding Three thousand, without regard to aggregate yearly Value, and without any Limitation as to the same, and that the Union of such Benefices shall and may be effected in the Manner herein-after provided.

CLAUSE A.
Her Majesty to appoint Parishes Commissioners.

II. And whereas Her Majesty was pleased on the Fourth Day of April One thousand eight hundred and forty-nine, and on the Third Day of December One thousand eight hundred and forty-nine, to issue Two several Commissions to certain Persons therein respectively named, directing them to inquire into the Practicability and Mode of subdividing for all Ecclesiastical Purposes the densely peopled Parishes of England and Wales: And whereas it would facilitate the Purposes of this Act that the Commissioners appointed under such Commissions, or some of them, should be empowered to carry out the same: Be it therefore enacted, That it shall and may be lawful for Her Majesty, by Warrant under Her Sign Manual, to appoint the Commissioners in the aforesaid last Commission named, or any of them, and such other Persons as to Her Majesty may seem fit, to be Commissioners for the Purposes of this Act by the Name and Title of the "Parishes Commissioners," and by that Name such Commission shall sue and be sued, and shall and may have Power and Authority to take, purchase and hold Lands, Tenements, and Hereditaments to them and their Successors and Assigns for the Purposes of this Act, the Statutes of Mortmain or any other Act or Acts to the contrary hereof notwithstanding.

On Representation of Inhabitants

III. Whenever it shall be represented in Writing to the Bishop of the Diocese by the Inhabitants of any Two or more such Parishes in

in Vestry assembled, or the major Part of them respectively, due Notice of the Representation proposed to be made having been given in the usual Manner, that the Benefice of the Parish of which they are Inhabitants may, with Advantage to the Interests of Religion, be united to some other Benefice or Benefices, Rectory or Rectories, Vicarage or Vicarages, contiguous thereto, the Bishop of the Diocese to whom such Representation in Writing may be made shall inquire into the Circumstances of the Case; and if on such Inquiry it shall appear to such Bishop that such Union may usefully be made, and that the Patron or Patrons of the Benefices, Rectories, or Vicarages proposed to be united are consenting thereto, such Consent being signified in Writing under the Hands of such Patron or Patrons, or that the Patronage of any new Church or Churches proposed to be erected under this Act is to be vested in such Patron or Patrons as herein-after is provided, the said Bishop shall cause a Statement in Writing of the Facts, certified and signed by himself, to be submitted to the Parishes Commissioners, and the said Commissioners shall institute Inquiry, and, if they see fit, may propose a Scheme for the Union of such Benefices and for the other Purposes of this Act.

of any Two or more Parishes that their Benefice might be advantageously united, Bishop of the Diocese shall inquire, and may certify to Parishes Commissioners.

IV. Whenever it shall appear to the Parishes Commissioners, upon Inquiry into the Circumstances of the Case, that the total Revenue of any Benefices proposed to be united would be more than sufficient for the due Maintenance and Support of the Incumbent of the Benefice when united, and of such Curate or Curates as may be needed for the same, and that the whole or some specified Part or Parts of the Glebe Lands, Houses, Tithes, Tenements, or Hereditaments, or other permanent Endowments in lieu of Tithes, belonging to the Benefice or Benefices proposed to be united, or any of them, might with Advantage to the Interests of Religion be made subject to a certain annual Rentcharge in perpetuity in favour of some other specified Benefice in the same Diocese, or be excepted out of such Union, and transferred and annexed to such other specified Benefice having no Provision or competent Provision belonging thereto, as an Endowment or a further Endowment for the same, the Parishes Commissioners, with the Consent of the Patron or Patrons of the Benefices proposed to be united, may entertain or propose a Scheme or Plan for such Rentcharge or Transfer and Annexation: Provided always, that the Consents of such Patrons shall be signified in Writing, and that in any Case where the Patronage of any such Benefice may be vested in any Individual not wholly entitled to dispose of the same, the Consent of the next Heir, being of full Age, to the Right of such Patronage, shall also be signified in Writing.

Church Building Commissioners may propose Scheme for Transfer of surplus Revenues to poor Parishes.

Scheme to
be posted
on Church
Doors, &c.

Parties in-
terested may
show Cause
against
Scheme.

If no suffi-
cient Cause
shown, Com-
missioners
to certify to
Queen in
Council.

Proviso.

Protests
against the
Scheme may
be con-
sidered by
Judicial
Committee.

V. The Parishes Commissioners, so soon as they shall have prepared a Scheme for the Purpose of more effectively carrying out the proposed Union of Benefices, or a Scheme for the Transfer of surplus Revenues, shall cause to be affixed on or near to the principal outer Door of the Church or Churches of the Parishes proposed to be united, and in the usual Place of Notice in the said Parishes, a Copy or Copies of such Scheme, and shall deliver Copies of the same to the Bishop of the Diocese, and to the Patrons, Ministers, Churchwardens, Overseers, and Vestry Clerks of the Benefices proposed to be united, together with a Notice to any Person or 10 Persons interested, that they or any of them may within Two Months show Cause to the said Commissioners against the proposed Union of Benefices, or the Transfer of surplus Revenues, or as to any Part or Parts of any Scheme relating thereto; and if within such Period of Two Months no Cause be shown, or if upon Consideration of any Ob- 15 jection the Parishes Commissioners shall be of opinion that the Cause shown is not sufficient, the said Commissioners shall then certify the Statement and Certificate of the Bishop as aforesaid, together with their Scheme, to Her Majesty in Council, and thereupon it shall be lawful for Her Majesty in Council to make and issue 20 any Order or Orders for uniting such Benefices into One Benefice with Cure of Souls for Ecclesiastical Purposes, and for such other Purposes as are herein provided: Provided always, that if any Petition or Statement is lodged by way of Protest against the Scheme or any Part thereof, as herein-after is provided, no such 25 Order or Orders in Council shall be made or issued until such Petition or Statement has been duly considered.

VI. It shall and may be lawful for any Person or Persons interested, who may have been heard by the said Commissioners against the proposed Union of any Benefices, or against subjecting the 30 Endowments or Revenues thereof, or any Part of them, to any Rentcharge or Transfer or Annexation, or against any Part or Parts of any Scheme certified by them to Her Majesty in Council, to state in Writing, by way of Protest, his, her, or their Objections to such Union or any Part or Parts thereof, and the Commissioners 35 shall annex such written Statement or Protest to their Certificate to the Queen in Council, and Her Majesty in Council may order and direct that such Objections shall be considered by the Judicial Committee of the Privy Council; and the said Judicial Committee shall make Report to Her Majesty in Council thereupon, and may propose 40 to Her Majesty in Council to affirm, vary, or dismiss the Scheme certified by the Commissioners, or to return the same to the said Commissioners for Alteration or Amendment; and Her Majesty in Council

Council may affirm, vary, or dismiss the Scheme accordingly, or return the same to the Commissioners to be reconsidered as to any Parts thereof.

VII. And be it enacted, That every Archbishop and Bishop
 5 of the United Church of England and Ireland who now is or at any Time hereafter shall be sworn of Her Majesty's Most Honourable Privy Council shall be a Member of the Judicial Committee of the Privy Council for the Purposes of every Appeal under this Act; and no such Appeal shall be heard before the Judicial Committee of the
 10 Privy Council unless at least One of such Archbishops or Bishops shall be present at the Hearing thereof.

Archbishops and Bishops, Members of the Privy Council, to be Members of the Judicial Committee on all Appeals under this Act.

VIII. It shall be lawful for Her Majesty in Council, by any Order or Orders affirming or approving any Scheme of the Commissioners, and directing a Union of any Parishes, or by
 15 any other Order or Orders, to direct that such or such Part of any Lands, Tithes, Tenements, or Hereditaments, or other permanent Endowments of the Benefices proposed to be united, shall be subject to such Rentcharge, or excepted out of such Benefice when united, and be transferred and annexed to such
 20 other specified Benefice, and upon the Order or Orders directing such Rentcharge or Transfer and Annexation coming into operation the Lands, Houses, Tithes, Tenements, or Hereditaments, or other permanent Endowments, so directed to be subject to such Rentcharge, or to be transferred and annexed, shall, without any
 25 further Deed, Transfer, or other Assurance, become and be for ever subject to such Rentcharge or annexed to such Benefice, as the Case may be, and shall be held and enjoyed by the Incumbent thereof for the Time being as the Endowment or a Part of the Endowment thereof, subject and without Prejudice, nevertheless, to all Leases,
 30 Grants, Rents, Charges, and Incumbrances existing at the Time of such Rentcharge or Transfer and Annexation legally affecting the same, except so far as any such Apportionment as aforesaid may affect the same respectively; and all such Lands, Houses, Tithes, Tenements, and Hereditaments, or other permanent Endowments, when so trans-
 35 ferred or annexed as aforesaid, shall belong to and the same and the Rents and Profits thereof shall be recoverable by the Incumbent of such Benefice for the Time being, in the same Manner and by the same Remedies as were applicable thereto before such Transfer and Annexation.

Queen in Council may make Orders affirming or approving any Scheme.

40 IX. The Order or Orders in Council affirming any Scheme, or directing any Union of Parishes, Rentcharge, Transfer, or Annexation as aforesaid, shall, as soon as may be after the making thereof by Her

Orders in Council to be gazetted and registered, and to have

Force of
Law.

Majesty in Council, be inserted and published in the London Gazette, and shall be registered in the Registry of the Diocese, and the Registrar of the Diocese is hereby required to make such Registry ; and such Order in Council, so soon as the same shall have been gazetted, shall have full Force and Effect of Law in all respects and as to all 5 Things therein contained, any Law, Statute, Canon, Grant, Usage, or Custom to the contrary notwithstanding: Provided always, that nothing in this Act contained shall be construed to affect the Rights and Interests of any of the Incumbents of Benefices united under the Provisions thereof who at the Time of the making such Order in 10 Council were in possession respectively of such Benefices, without the Consent of such Incumbent expressed in Writing.

Parishes
Commission-
ers may pro-
pose Scheme
for Erec-
tion of new
Church or
Parsonage,
Removal of
old Church
or Parson-
age, Sale of
Site, &c.,
for Purposes
of this Act.

X. If for the Purposes and Objects of this Act it shall be found necessary or desirable to provide for the Erection of any new Church or Parsonage House, for the pulling down or Removal of any existing 15 Church or Parsonage House, in either of the Benefices proposed to be united, for the Sale of the Materials or Site of the same, for the Appropriation of any Plate or other Property held in trust by the Churchwardens of any Church to be pulled down, for the Disposal of any Organ in such Church, for the Appropriation or Re-appropriation of any Pews or Sittings in the Church of the united Benefice left 20 standing, for the Transfer of any Lectureships, the Sale of any Parsonage Houses, with their Appurtenances, for Compensation to Parish Clerks or other Officers, for Arrangement with respect to Fees or Vestry-rooms, it shall and may be lawful for the Parishes Com- 25 missioners to make Proposals thereupon as Part of their Scheme, and such Proposals or any of them shall be subject to Objection and Protest as herein provided.

No Burial
Ground, or
Site of
Church,
to be sold
under this
Act.
Vaults and
Tablets.

XI. Nothing in this Act contained shall be taken or construed to legalize the Sale of any Burial Ground or Churchyard or of the Site 30 of any Church, if there shall have been any Interments or Deposits in any Grave or Vault under the Site of such Church ; and if there shall be any Tablets or Monuments erected in such Church, such Tablets or Monuments, if not removed by the legal Representatives of the Parties to whom the same were erected, shall be carefully removed, at 35 the Cost and Charge of the Parties removing the Church, and shall be fixed by them in some convenient Part of the Church thereafter to be constituted the Church of the united Parishes.

Church and
Vestry of
Church left
standing
to be the
Church and

XII. From and after the Union of any Two or more Benefices under this Act, the Church left standing and remaining within such united 40 Benefice shall be the Church of the united Parishes, and all Meetings of Vestry for Ecclesiastical Purposes within such Parishes shall be Vestry

Vestry Meetings of the Parishes united under this Act; and the Vestry-room of the Church left standing within such united Parishes shall be held to be the Vestry-room of the united Parishes for the Use of the Parishioners thereof, and also the Vestry-room for secular
 5 Purposes for the Parishioners of each of the Parishes forming the united Parish, and for the Care and Preservation of the Deeds, Muniments, and Records belonging to the same: Provided always, that nothing in this Act contained shall be taken or construed to interfere with any Privileges or Liberties whatsoever reserved to any
 10 Parishes in the City of London by an Act of the Twenty-second Year of His Majesty King Charles the Second, commonly called the City of London Fire Act.

Vestry of
 united
 Parishes.

XIII. And whereas by the Act of the Session holden in the Sixth and Seventh Years of Her Majesty, Chapter Seventy-seven, it
 15 was enacted, that out of the Proceeds of any Lands, Tithes, Tenements, or other Hereditaments in the Principality of Wales, vested or to be vested in the Ecclesiastical Commissioners for England by or under the Provisions of the said recited Acts or that Act, it should be lawful, by the Authority therein mentioned, to make Provision, in
 20 whole or in part, for the competent Maintenance of any Spiritual Person or Persons (being a Native or Natives of the Principality aforesaid) who might be licensed by the Bishop of the Diocese for the Time being to officiate in any Church or Chapel within London or Westminster or the Suburbs thereof, duly consecrated for the
 25 Performance of Divine Service according to the Rites and Ceremonies of the United Church of England and Ireland, in the Welsh Language, and such Bishop was thereby authorized to license any Spiritual Person or Persons accordingly: It shall be lawful for the Bishop of London, if he sees fit, to appropriate for the Performance
 30 of Divine Service in the Welsh Language, so long as such Provision shall continue to be made by the Ecclesiastical Commissioners for England, One of the Churches within his Diocese which might under this Act be pulled down: Provided always, that before such Appropriation sufficient Provision shall be made to the Satisfaction
 35 of the said Bishop for the Repairs, Maintenance, and Support of the Fabric of the Church, so long as such Church remains so appropriated.

Bishop of
 London may,
 under cer-
 tain Cir-
 cumstances,
 appropriate
 for Service
 in Welsh
 One of the
 Churches
 in London
 otherwise to
 be pulled
 down.

XIV. And whereas Difficulties might arise in the Case of endowed Lectureships, when the Lectures have been customarily
 40 preached in a Church which may be taken down under the Authority of this Act: It shall therefore be lawful for the Bishop of any Diocese for the Time being to prepare from Time to Time under his Hand and Seal a Scheme or Schemes for transferring such Lectures to

Bishop may
 prepare a
 Scheme for
 Transfere-
 nce of Lec-
 tures from
 Churches
 to be pulled
 down.

other Churches, to be preached therein at such Times as to the said Bishop may appear convenient; and such Scheme shall be submitted by the said Bishop to the Charity Commissioners under the "Charitable Trusts Act, 1853," and such Scheme, if approved of by them, or subject to such Alterations therein as may appear to the said Commissioners advisable, and as shall be approved of by the said Bishop, shall be valid for effecting the Purposes therein mentioned, and shall be registered in the Registry of the Diocese: Provided nevertheless, that nothing in this Act contained shall give the Bishop any Power respecting the Appointment of a Lecturer, without the Consent of the Incumbent of the Church in which such Lecturer is to officiate. 5 10

Parishes
Commission-
ers may re-
appropriate
Pews of
Churches
left standing
in united
Benefices.

XV. When any Church is pulled down, under the Provisions of this Act, the Parishes Commissioners, with the Consent of the Bishop of the Diocese or Chancellor of the Diocese under his Hand and Seal, shall and they are hereby authorized to alter and readjust the Pews or Seats and the Appropriation thereof in the Church of the united Benefice left standing, so that not less than One Third of the Sittings in such Church shall be free and unappropriated, and the Remainder be placed at the Disposal of the Churchwardens, under the Control and Direction of the Bishop, of such Church, for the Use of the Parishioners of such united Benefice. 15 20

Sites of
Churches
to be pulled
down to vest
in Parishes
Commis-
sioners, in
trust to sell,
and apply
the Proceeds
to Purposes
indicated in
Order in
Council.

XVI. After any Order in Council under this Act shall have obtained full Force of Law, the Fee Simple and Inheritance of the Site of any Church or Parsonage House by such Order in Council directed to be pulled down, and of the Building Materials of such Church or Parsonage House, shall, without any further Transfer, Conveyance, or other Form of Law being had, observed, or required, belong to and be vested in the Parishes Commissioners, in trust to make Sale or dispose of such Sites and Materials or any Part thereof, where the same may be sold, under the Powers and for the Purposes of this Act, and in further trust to apply the Proceeds of such Sale or Sales from Time to Time to such of the same Purposes as in the said Order in Council may be indicated; and the said Commissioners, with the Consent of the Bishop of the Diocese under his Hand and Seal, may make a valid Conveyance in Fee Simple to any Body or Person of the Site of any Church or Parsonage House pulled down under this Act, or by virtue of any Order in Council authorized hereby: Provided always, the said Commissioners shall give Two Calendar Months Notice in the London Gazette previous to the Sale or Disposal of such Site or any Part thereof, in order that thereby Facilities may be afforded for appropriating such Site to sanitary Purposes, public Improvements, or the Improvements of public Streets in the Vicinity; and if within Two Months from the Time such 25 30 35 40

Church
Building
Commission-
ers may make
valid Con-
veyances of
such Sites.
Proviso.

such Notice shall have been inserted in the London Gazette the said Commissioners shall not receive an Offer which in their Judgment shall be satisfactory for the Purchase of such Land for the Purposes aforesaid, it shall be lawful for them to make Sale or to dispose of
5 such Ground, at such Time and at such Prices and in such Manner as in their Discretion shall seem fit, and to apply the Proceeds of such Sale or Sales, from Time to Time, for or towards the Purposes herein-before mentioned.

XVII. The Parishes Commissioners shall make an annual Report
10 to Parliament respecting their Proceedings in pursuance of this Act. Parishes Commissioners to report.

XVIII. This Act shall extend only to that Part of the United
Kingdom called England and Wales. Extent of Act.

XIX. The Operation of this Act shall be limited to Five Years
from the Date of the same receiving the Royal Assent. CLAUSE B. Continuance of Act.

Union of contiguous Benefices.

A

B I L L

[AS AMENDED IN COMMITTEE]

INTITULED

An Act to make better Provision for
the Union of contiguous Benefices,
and to facilitate the building and en-
dowing of new Churches in spiritually
destitute Districts.

(*Brought from the Lords 2 July 1855.*)

Ordered, by The House of Commons, to be Printed.
1 August 1855.

[Bill 284.]

Under 2 oz.

13 March 1855. 18 VICT.



A

B I L L

TO

Amend the Law concerning the vacating of Seats by Members of Parliament.

[Note.—The Words printed in *Italics* are proposed to be inserted
in Committee.]

WHEREAS it is expedient to alter and amend the Law so Preamble.
far as it prescribes that a Person holding an Office of Profit
under the Crown shall by the Acceptance of a different
Office of Profit under the Crown vacate his Seat in the House of
5 Commons: Be it enacted by the Queen's most Excellent Majesty,
by and with the Advice and Consent of the Lords Spiritual and Tem-
poral, and Commons, in this present Parliament assembled, and by the
Authority of the same, as follows: From and after the *passing of this*
Act, if any Person, being a Member of the House of Commons, and
10 holding an Office of Profit under the Crown within the Intent and
Meaning of the Statute of the Sixth of Anne, Chapter Seven,
Section Twenty-six, or within the Intent and Meaning of the Statute
Forty-first of George the Third, Chapter Fifty-two, Section Nine,
shall resign such Office, and shall immediately upon such Resignation
15 accept another Office of Profit within the Intent and Meaning of
either of the said Sections of the said Acts, the Election of such
Person shall not be thereby rendered void, nor shall it be necessary
[Bill 55.] that

Any Person holding an Office of Profit under the Crown not to vacate his Seat in the House of Commons by reason of his Acceptance of a different Office of Profit.

that such Person upon such Resignation and Acceptance of Office shall be re-elected, in order that he may continue to be a Member of the House of Commons.

Vacating of Seats in
Parliament.

A

B I L L

To amend the Law concerning the vacating of Seats by Members of Parliament.

(Prepared and brought in by
Mr. Wriggleson, Mr. Deedes, and Mr. Headlam.)

Ordered, by The House of Commons, to be Printed,
13 March 1855.

[Bill 55.]

Under 1 oz.

16 July 1855. 18 & 19 VICT.



A

B I L L

TO

Provide for the Vaccination of the People in
England and Wales.

WHEREAS an Act was passed in the Fourth Year of the Preamble.
Reign of Her present Majesty, intituled “An Act to ex-
“tend the Practice of Vaccination:” And whereas an Act
was passed in the Fifth Year of the same Reign, intituled “An Act
5 “to amend an Act to extend the Practice of Vaccination:” And whereas
an Act was passed in the Seventeenth Year of the same Reign, inti-
tuled “An Act further to extend and make compulsory the Practice
“of Vaccination:” And whereas it is expedient to make further and
better Provision for the Vaccination of the People at large: Be it
10 therefore enacted by the Queen’s most Excellent Majesty, by and
with the Advice and Consent of the Lords Spiritual and Temporal,
and Commons, in this present Parliament assembled, and by the
Authority of the same, as follows:

I. So much of the above-recited Acts as applies to England and Continuance
15 Wales shall remain in force until the *First Day of January One* of recited
thousand eight hundred and fifty-six, and no longer. Acts.

II. From and after the *First Day of January One thousand eight* Public Vac-
hundred and fifty-six, the Public Vaccinations in England and Wales inations to
shall be placed under the Control of the General Board of Health, be placed
[Bill 252.] A under the
and Board of
Health.

and shall be under the immediate Direction and Management of a Medical Superintendent of Public Vaccinations, to be appointed by the Board, at a Salary to be arranged with the Treasury.

Public Vaccinators to be appointed within One Month after passing of this Act.

III. For the Performance of various Duties herein-after specified, and others which may be required preparatory to bringing this Act into operation, the said Medical Superintendent of Public Vaccinations shall be appointed by the Board within *One Month* after the passing of this Act. 5

Board of Health to have Power to appoint Inspectors for the Purposes under this Act.

IV. The General Board of Health shall have the Power of appointing Medical Inspectors, whenever the Medical Superintendent shall report to them that it is expedient so to do, for the Purpose of ascertaining the State of Vaccination in England and Wales or in any Part thereof, and of carrying out any Directions which may be given them by the Medical Superintendent of Public Vaccinations for the more effectual working of this present Act; and the said Inspectors may be also Inspectors for other Purposes connected with the General Board of Health, and they shall be paid such Salaries as the Board shall direct, together with reasonable travelling Expenses. 15

Manner in which Public Vaccinators are to be appointed.

V. The General Board of Health shall have the Power of appointing any legally qualified Medical Practitioner to be a Public Vaccinator; and all Practitioners so appointed shall observe all the Regulations respecting Vaccination which may be issued by the General Board of Health, or by the Medical Superintendent of Public Vaccinations in the Name of the Board, and in default thereof their Appointment may be cancelled. 20 25

The present Vaccinators as appointed shall for the future be considered to have been appointed under this Act.

VI. Any qualified Medical Practitioner who shall on the *Thirty-first Day of December One thousand eight hundred and fifty-five* hold a Contract for the Performance of Vaccination with the Guardians of any Parish or Union in England and Wales, or with the Overseers of the Poor in any Parish in which Relief is not administered by Guardians shall from the *First Day of January One thousand eight hundred and fifty-six* be considered to be a Public Vaccinator under the Board of Health without further Appointment, but subject to all the Regulations of the Board, in the same Way as the Public Vaccinators who shall be directly appointed by the Board. 30 35

How Vaccination Stations, &c. are to be appointed.

VII. The Medical Superintendent of Public Vaccinations shall make all Provisions necessary to facilitate the general Vaccination of the People, and in particular he shall appoint in each Sub-Registrar's District which shall have been duly constituted for the Registry of Births and Deaths under the Act now in force, at least One convenient 40

nient Place or Station for the Performance of Vaccination and subsequent Inspection thereof, and he shall provide for the Attendance of a Public Vaccinator for the Purposes aforesaid on specified Days and Hours at every such appointed Station, and within *One Month* from 5 and after the *First Day of January One thousand eight hundred and fifty-six*, and within *One Month* from the *First Day of January* in every subsequent Year, and at other Times when need be, he shall publish or cause to be published in the District of each Superintendent Registrar in England and Wales a complete List of all the Places or 10 Stations appointed for Vaccination within the said District, classified in Sub-Districts, with the Name of the Public Vaccinator who will attend at each Station, and the Days and Hours at which he will attend for the Performance of Vaccination and subsequent Inspection thereof.

15 VIII. Every adult Person residing in England and Wales on the *First Day of January One thousand eight hundred and fifty-six* who shall not already have been successfully vaccinated nor had the Small Pox shall, within *Three Months* of the said *First Day of January One thousand eight hundred and fifty-six*, cause himself to be vaccinated 20 by some duly qualified Medical Practitioner or by a Public Vaccinator, and shall, on the Eighth Day from and including the Day on which he has been so vaccinated, cause himself to be inspected by the Medical Practitioner or Public Vaccinator by whom the Operation was performed, or by some duly qualified Medical Practitioner acting on his 25 Behalf, in order that the Result of such Operation may be ascertained and registered, and in default thereof he shall be liable to a Penalty not exceeding *Twenty Shillings*.

Who are to be vaccinated.

IX. Every adult Person who after the *First Day of January One thousand eight hundred and fifty-six* shall come to reside in any Part of 30 England and Wales, and who shall not already have been successfully vaccinated nor had Small Pox, shall, within *Three Months* of his Arrival, cause himself to be vaccinated by some duly qualified Medical Practitioner or by a Public Vaccinator, and shall, on the Eighth Day from and including the Day on which he has been so vaccinated, cause himself to 35 be inspected by the Medical Practitioner or Public Vaccinator by whom the Operation was performed, or by some duly qualified Medical Practitioner acting on his Behalf, in order that the Result of such Operation may be ascertained and registered, and in default thereof he shall be liable to a Penalty not exceeding *Twenty Shillings*.

Adults not born in England and Wales and coming to reside therein and not vaccinated to be subject to the Provisions of this Act.

40 X. The Father or Mother of every Child resident in England and Wales on the *First Day of January One thousand eight hundred and fifty-six* who shall not already have been successfully vaccinated nor

The Parents and Guardians of Children to

attend to
their being
vaccinated.

had Small Pox, or in the event of the Death, Illness, Absence, or Inability of the Father and Mother, then the Person who shall have the Care, Nurture, or Custody of the said Child, shall, within *Three* Calendar Months from the said *First Day of January One thousand eight hundred and fifty-six*, take or cause to be taken the said Child to 5 some duly qualified Medical Practitioner, or to a Public Vaccinator, for the Purpose of being vaccinated, and shall, on the Eighth Day from and including that on which the Child has been so vaccinated, again take or cause to be taken the said Child for Inspection by the Medical Practitioner or Public Vaccinator by whom the Operation was per- 10 formed, or by some duly qualified Medical Practitioner acting on his Behalf, in order that the Result of such Operation may be ascertained and registered, and in default thereof he shall be liable to a Penalty not exceeding *Twenty Shillings*.

Penalties for
Noncompli-
ance with
this Act.

XI. The Father or Mother of every Child born in England and 15 Wales after the *First Day of January One thousand eight hundred and fifty-six*, or in the event of the Death, Illness, Absence, or Inability of the Father and Mother, then the Person who shall have the Care, Nurture, or Custody of the said Child, shall, within *Three* Calendar Months after the Birth of such Child, take or cause it to be taken to 20 some duly qualified Medical Practitioner or to a Public Vaccinator, for the Purpose of being vaccinated, and shall, on the *Eighth* Day from and including that on which the Child has been so vaccinated, again take or cause to be taken the said Child for Inspection by the Medical Practitioner or Public Vaccinator by whom the Operation was per- 25 formed, or by some duly qualified Medical Practitioner acting on his Behalf, in order that the Result of such Operation may be ascertained and registered, and in default thereof he shall be liable to a Penalty not exceeding *Twenty Shillings*; and the Sub-Registrar of every District in England and Wales is hereby required, at the Time of regis- 30 tering the Birth of any Child, to deliver to the Person attending to register the said Birth a Notice under his Hand, according to the Form of Schedule herein-after inserted marked A., that it is the Duty of the Father or Mother, or Person having the Care, Nurture, or Custody of the said Child, to have the Child vaccinated, in conformity with this 35 Act, and that in default thereof they will be liable to the Penalties of the Act, and to deliver at the same Time, according to the Form in the above-named Schedule, a List of the Days, Hours, and Places within the District at which the Public Vaccinator will attend for the Performance of Vaccination and subsequent Inspection thereof: Provided, 40 that the Nonreceipt of such Notice from the Sub-Registrar cannot be pleaded as a Defence in any Prosecution for Penalties under this Act.

XII. The

XII. The Father or Mother of every Child who shall after the *First Day of January One thousand eight hundred and fifty-six* come to reside in any Part of England and Wales, or in the event of the Death, Illness, Absence, or Inability of the Father and Mother, then the Person who shall have the Care, Nurture, or Custody of the said Child shall, if the Child has not already been successfully vaccinated nor had the Small Pox, within *Three Months* of his Arrival, take or cause it to be taken to some duly qualified Medical Practitioner or to a Public Vaccinator, for the Purpose of being vaccinated, and shall, on the Eighth Day from and including that on which the Child has been so vaccinated, again take or cause to be taken the said Child for Inspection by the Medical Practitioner or public Vaccinator by whom the Operation was performed, or by some duly qualified Medical Practitioner acting on his Behalf, in order that the Result of such Operation may be ascertained and registered, and in default thereof he shall be liable to a Penalty not exceeding *Twenty Shillings*.

Children coming to reside in England and Wales, and who have not been vaccinated, are to be vaccinated according to the Provisions of this Act.

XIII. If a Medical Practitioner or Public Vaccinator who shall have vaccinated any Person or Child as herein-before directed shall ascertain, on Inspection on the Eighth Day, that the said Vaccination has not been successful, he shall thereupon, or as soon after as possible, proceed to vaccinate again the said Person or Child; and if the said Person shall refuse or neglect to be so vaccinated again, and to be inspected on the Eighth Day, or if the Father or Mother of the said Child, or Person having the Care, Nurture, or Custody of the Child, shall refuse or neglect to have the said Child so vaccinated again, and inspected on the Eighth Day, and so on as often as need be until the said Person or Child shall have been successfully vaccinated, they shall be liable to the Penalties herein-before declared: Provided only, that in the event of a Medical Practitioner or Public Vaccinator being of opinion, from repeated Vaccination that a Person or Child is insusceptible of the Vaccine Disease, the said Person, or the Father or Mother of the said Child, or Person having the Care, Nurture, or Custody of the Child, a Certificate under his own Hand according to the Form of Schedule herein-after inserted marked (B.); and neither the said Person, nor the Father nor Mother of the said Child, nor Person having the Care, Nurture, or Custody of the said Child, shall be liable to any Penalties under this Act.

A Certificate under the Handwriting of a Public Vaccinator or Medical Practitioner, stating that any Child is insusceptible of the Vaccine Disease, shall prevent the Parents or Guardians of any Child from coming under the Penalties of this Act.

XIV. If a Medical Practitioner or Public Vaccinator shall be of opinion that any Person or Child presented to him for Vaccination is not then in a fit State of Health to be vaccinated, he shall direct the Operation to be postponed for such Period as he shall deem necessary: He shall thereupon deliver to the said Person, or to the Father or Mother of the said Child, or to the Person having the Care, Nurture, or Custody of the Child, a Certificate under his own Hand according

A Certificate under Handwriting of any Practitioner or Public Vaccinator, stating that any Child is not in a fit State

of Health to be vaccinated, shall protect the Parents or Guardians of such Child from Penalties under this Act.

to the Schedule herein-after inserted marked (C.); and neither the said Person, nor the Father nor Mother of the said Child, nor Person having the Care, Nurture, or Custody of the Child, shall be liable to any Penalty under this Act for the Period for which such Postponement shall have been directed: Provided always, that the said Person 5 shall attend, or the said Father or Mother, or Person having the Care, Nurture, or Custody of the said Child, shall bring it or cause it to be brought to the Medical Practitioner or Public Vaccinator, at or before the Expiration of the Period allowed, or to some other Medical Practitioner or Public Vaccinator, that the Vaccination may be performed, or a further Postponement allowed, according to the Judgment of 10 the said Medical Practitioner or Public Vaccinator.

A Certificate of successful Vaccination to be obtained on the Payment of Sixpence.

XV. Any Person, or the Father or Mother of any Child, or the Person having the Care, Nurture, or Custody of any Child, who, after the *First Day of January One thousand eight hundred and* 15 *fifty-six*, shall have been successfully vaccinated, shall be entitled to receive a Certificate of the same from the Medical Practitioner or Public Vaccinator by whom the Operation was performed, upon Payment of a Fee of *Sixpence*.

Public Vaccinators to make Entry in a Book provided for them, of every Case vaccinated by them; which Books shall be considered Public Registers.

XVI. Every Public Vaccinator shall keep a Book, to be supplied 20 to him by the Medical Superintendent of Public Vaccinations, in which he shall enter, according to a Form to be drawn up by the said Medical Superintendent, the Name of every Person or Child vaccinated by him, with its Age, Place of Abode, Place of Birth, the Date of Vaccination, Date of Inspection, Result of the Operation, and such 25 other Things as the Medical Superintendent shall direct; and the Medical Superintendent is hereby required to draw up such Forms and to prepare such Books immediately on his Appointment, and to issue them ready for Use on the *First Day of January One thousand eight hundred and fifty-six*; and such Books or Registers shall be 30 considered Public Registers, and shall be carefully preserved according to Regulations to be issued by the Board.

Public Vaccinators to make Entry of the Name of every Child presented to them for Vaccination.

XVII. Every Public Vaccinator shall also keep a Book to be supplied to him by the Medical Superintendent of Public Vaccinations, in which he shall enter, according to a Form to be drawn up by the 35 said Medical Superintendent, the Name of every Person or Child presented to him for Vaccination, but whose Vaccination he has deemed it necessary to postpone, together with the Age, Place of Abode, Place of Birth, Date, Reasons of Postponement, and the Period for which the Vaccination is postponed; and the Medical Superinten- 40 dent is hereby required to draw up such Forms and to prepare such Books immediately on his Appointment, and to issue them ready for Use

Use on the *First Day of January One thousand eight hundred and fifty-six*; and such Books or Registers shall be considered Public Registers, and shall be carefully preserved according to Regulations to be issued by the Board.

- 5 XVIII. Every Public Vaccinator shall, on the *First Day of February One thousand eight hundred and fifty-six*, and on the First Day of every subsequent Month, make a Return to the Medical Superintendent of Public Vaccinations of the Number of Persons or Children vaccinated by him during the preceding Month, and of the Number
 10 who have been successfully vaccinated, and of the Number in whom Vaccination has been postponed; and every Sub-Registrar in England and Wales shall, on the *First Day of February One thousand eight hundred and fifty-six*, and on the *First Day* of every subsequent Month, make to the said Superintendent of Public Vaccinations a
 15 Return of the Number of Births registered by him during the preceding Month.

Public Vaccinators shall make a Return every Month of the Number of Cases vaccinated by them.

- XIX. Every Medical Practitioner who shall not be a Public Vaccinator, but who shall have vaccinated any Person or Child on or after the *First Day of January One thousand eight hundred and fifty-six*,
 20 or shall have directed the Postponement of the Vaccination of any Person or Child who has applied to him or been presented to him for the Purpose of being vaccinated, shall, between the *First and Fourth Days of February One thousand eight hundred and fifty-six*, and between the *First and Fourth Days* of every subsequent Month,
 25 transmit to the Medical Superintendent of Public Vaccinations Lists certified under his own Hand of the Persons and Children vaccinated by him during the preceding Month, specifying the Name, Age, Place of Abode, Place of Birth, Date, Reasons of Postponement, and Period for which the Vaccination is postponed, according to Forms to be
 30 supplied to him by the Medical Superintendent of Public Vaccination, and he shall be entitled to be remunerated for such Lists as hereinafter provided.

Medical Practitioners shall make a Return of all Cases vaccinated by them.

- XX. In consideration of the Fulfilment of the Duties required by this Act, all Public Vaccinators shall be entitled to a Fee of *Two*
 35 *Shillings and Sixpence* for every Child vaccinated by them whose successful Vaccination shall have been ascertained by Inspection, provided the Vaccination have been performed at the Residence of the Public Vaccinator, or within *Two Miles* thereof by the nearest public Road, and to a Fee of *Three Shillings and Sixpence* for every
 40 Child vaccinated by them whose successful Vaccination shall have been ascertained upon Inspection, provided the Vaccination have been performed at any Place more than *Two Miles* distant from such

The Remuneration to be given to Public Vaccinators.

Residence ; and every Medical Practitioner, not a Public Vaccinator, who shall have transmitted to the Medical Superintendent of Public Vaccinations certified Lists according to the Provisions in Section Nineteen, shall be remunerated for the said Lists at the Rate of *One Shilling* for every Child respecting whom a complete Entry shall have been made according to the Requirements of the said Section. 5

The Medical Superintendent shall institute Inquiry through the Medical Inspectors when he has Reason to suspect there is any Neglect on the part of Public Vaccinators.

XXI. Whenever it shall appear to the Medical Superintendent of Public Vaccinations that Vaccination is not properly carried out in any District, he shall immediately institute an Inquiry, either by himself or by One of the Medical Inspectors of the Board of Health duly appointed for the Purpose, as provided in Clause Four, into the Causes thereof ; and for the Purposes of this Inquiry he shall be entitled to require of the Sub-Registrar of the District a List of the Names and Places of Abode of all Children whose Births have been registered within a Period to be by him specified ; and whenever he shall deem it necessary he is hereby empowered and required to proceed for the Recovery of Penalties against any Person offending against the Provisions of this Act, before any Two Justices of the Peace for the County, City, Borough, or Place where the Offence may have been committed, and no Proceeding for Penalties under this Act shall be instituted against any Person but by the said Medical Superintendent of Public Vaccinations, or by an Inspector or other Person duly authorized to act on his Behalf ; and any Penalties recovered under this Act shall be applied to. 10 15 20

The Medical Superintendent to draw up proper Regulations for the Purposes of this Act.

XXII. The Medical Superintendent of Public Vaccinations is required immediately on the passing of this Act to draw up all Forms and Books as herein-before provided, and to do all other Things which may be necessary to bringing this Act into effectual Operation by the *First Day of January One thousand eight hundred and fifty-six*, and especially he is required to compile from the best Authorities, and to issue, with the Consent of the General Board of Health, by the *First Day of January One thousand eight hundred and fifty-six*, and thereafter from Time to Time as Need be, Regulations regarding the best Mode of performing the Operation of Vaccination, the Precautions to be observed in the Selection of Lymph, and all other Things which may be required to render Vaccination the most effectual Safeguard against Small Pox ; and he is also required, once in every Year, to present a written Report to the General Board of Health of all Things done by him under this Act, to be laid before the Houses of Parliament. 25 30 35 40

Expenses to be provided by Parliament.

XXIII. All Expenses incurred under this Act shall be defrayed out of such Monies as may be provided by Parliament for the Purpose.

XXIV. And

Penalties
against
Inoculation
continued.

XXIV. And whereas by the Third and Fourth Victoria, Chapter Twenty-nine, it is enacted that any Person who shall produce or attempt to produce in any Person by Inoculation with Variolous Matter, or by wilful Exposure to Variolous Matter, or to any Matter,
 5 Article, or Thing impregnated with Variolous Matter, or wilfully by any other Means whatsoever produce the Disease of Small Pox in England or Wales, shall be liable to be proceeded against and convicted summarily before any Two Justices of the Peace in Petty Sessions assembled, and for every such Offence shall, upon Conviction,
 10 be imprisoned in the Common Gaol or House of Correction for any Term not exceeding *One Month*: The said Provision is hereby confirmed and re-enacted; and it is hereby further provided, that on any Information being given to the Medical Superintendent of Public Vaccinations of any alleged Offence against this Provision he shall
 15 immediately institute an Inquiry into the same, and if he shall deem that there exist sufficient Grounds for further Proceedings shall at once proceed to prosecute the Person or Persons offending.

SCHEDULES referred to in this Act.

SCHEDULE (A.)

To *A.B.*, Father [*or Mother, or Guardian, as the Case may be,*]
of *C.D.*

I, the undersigned, hereby give you Notice, That you are required by the Act 18 Vict. Cap. to have the Child *C.D.*, whose Birth I have this Day registered, vaccinated before the Day of 18 , either by your own legally qualified Medical Attendant or by a Public Vaccinator, and that you must have the Child inspected on the Eighth Day after the Vaccination by the Gentleman by whom the Operation was performed; and that in case of Neglect you will be liable to the Penalty of *Twenty Shillings*. The Public Vaccinators for this District attend for gratuitous Vaccination at the Places and Times stated below.

Name.	Place appointed.	Days and Hours.

Witness my Hand, this
18 .

Day of

(Signed) *E. F.*
Registrar of Births and Deaths for
the Sub-District of

SCHEDULE (B.)

I the undersigned hereby certify, That I am of opinion that
of in the Parish of
in the County of [*or that* the Child
of in the Parish of in the County
of] is insusceptible of the Vaccine Disease.
Dated this Day of 18 .
(Signed) *A.B.* [*insert Medical Titles.*]

SCHE-

SCHEDULE (C.)

I the undersigned hereby certify, That I am of opinion that
of _____ in the Parish of _____
in the County of _____ [or that _____ the Child
of _____ in the Parish of _____ in the County
of _____] is not now in a fit State of Health to be
vaccinated, and that the Vaccination may be postponed until the
Day of _____ 18 .
(Signed) *A.B.* [*insert Medical Titles.*]

Vaccination.

A

B I L L

To provide for the Vaccination of the
People in England and Wales.

(Prepared and brought in by
Mr. Brady and Mr. Montagu Chambers.)

*Ordered, by The House of Commons, to be Printed,
16 July 1855.*

[Bill 252.]

Under 2 oz.

11 June 1855. 18 VICT.



A

B I L L

TO

Prevent Doubts as to the Validity of certain Proceedings in the House of Commons.

WHEREAS the House of Commons on the Fourth Day of Preamble.
August One thousand eight hundred and fifty-three, Her
Majesty having previously signified Her Consent that the
House might do therein as they should think fit, resolved as follows :
5 “ That whenever the House shall be informed of the unavoidable
“ Absence of Mr. Speaker, the Chairman of the Committee of Ways
“ and Means do take the Chair for that Day only, and in the
“ event of Mr. Speaker’s Absence continuing for more than One
“ Day do, if the House shall think fit and shall so order it, take
10 “ the Chair in like Manner on any subsequent Day during such
“ Absence:” And whereas on the Fourth Day of this present Month
of June, Mr. Speaker being unavoidably absent by reason of Indis-
position, the Right Honourable Henry FitzRoy, being the Chairman of
the Committee of Ways and Means, took the Chair in pursuance of the
15 said Resolutions : And whereas the House on the same Day further
resolved as follows ; viz. : “ That in the event of Mr. Speaker’s
“ Absence continuing for more than this Day, Mr. FitzRoy do take
“ the Chair on each subsequent Day during the present Week :”
[Bill 166.] And

And whereas the said Right Honourable Henry FitzRoy did, in consequence of the continued Absence of Mr. Speaker, on each subsequent Day during the said Week take the Chair, and perform therein certain Duties appertaining to the Office of Speaker: And whereas Doubts may arise as to the Validity of Acts done or Proceedings taken by or in the House during the Time aforesaid in relation to certain Matters regulated by Statute: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Acts and Proceedings which according to the Provisions of any Statute are required to be done or taken in the House of Commons with their Speaker in the Chair, and which have been done or taken by or in the House while the said Right Honourable Henry FitzRoy was in the Chair as aforesaid, shall be and shall be deemed to have been as valid and effectual for all Purposes as if Mr. Speaker himself had been in the Chair during the Time when such Acts and Proceedings respectively were done and taken.

Preventing
Doubts as
to the Va-
lidity of
certain Pro-
ceedings in
the House of
Commons.

(House of Commons).

A

B I L L

To prevent Doubts as to the Validity of
certain Proceedings in the House of
Commons.

(Prepared and brought in by
Sir George Grey, Viscount Palmerston, and
Mr. Attorney General.)

Ordered, by The House of Commons, to be Printed,
11 June 1855.

[Bill 166.]
Under 1 oz.

Victoria Government Bill.

ARRANGEMENT OF CLAUSES.

1. Power to Her Majesty to assent to the Bill in Schedule to this Act.
 2. Repeal of Portions of the Acts in Schedule (2.) to this Act.
 3. Provisions of former Acts respecting the Allowance and Disallowance of Bills preserved.
 4. Power to repeal and alter the Provisions of the reserved Bill.
 5. Commencement of the Act.
 6. Interpretation.
-

SCHEDULES.

SCHEDULE (1.)

An Act to establish a Constitution in and for the Colony of Victoria.

Preamble.

1. Separate Legislative House established.
2. Legislative Council constituted.
3. Retirement of Members in rotation.
4. Qualification of Members.
5. Qualification of Electors.
6. Election of President.
7. Declaration by Members.
8. Resignation of Members.
9. Quorum of Legislative Council.
10. Legislative Assembly, how constituted.
11. Qualification of Members.
12. Qualification of Electors.
13. Joint Interests.
14. Provision as to Trustees and Mortgagees.
15. What to be a Charge or Incumbrance.
16. Members of Council incapable of being Members of Assembly, and vice versâ.
17. Persons becoming incapable.
18. Who are to be responsible Officers.
19. Duration of Assembly.
20. Election of Speaker.
21. Quorum of Assembly.
22. Quorum of Houses may act, though Election may have failed.
23. Resignation of Members.
24. Seat, how vacated.
25. Public Contractors incapable.
26. Effects of Incapacity.

[Bill 115.]

a

27. Power

27. Power for existing Legislature to make Provision for regulating Elections, &c.
 28. Convocation, Prorogation, and Dissolution.
 29. Sessions of Council and Assembly.
 30. Time of First Election.
 31. Declaration by Members.
 32. Oath of Allegiance.
 33. False Declaration.
 34. Standing Rules and Orders.
 35. Privileges of Legislature.
 36. Governor's Message.
 37. Appointment to Public Offices.
 38. Commissions of Judges.
 39. Salaries of Judges.
 40. Existing Laws.
 41. Existing Courts and Offices.
 42. Certain Duties may not be levied.
 43. Powers to levy Duties of Customs; Proviso.
 44. Boundaries of Colony how to be altered
 45. Consolidated Revenues.
 46. Charges of Collection and Management
 47. Civil List.
 48. Civil List to be in lieu of Crown Revenues.
 49. Governor may abolish certain Offices.
 50. Pensions to Judges.
 51. Pensions to present Incumbents of Office; Proviso.
 52. Pensions to responsible Officers.
 53. List of Pensions, &c.
 54. Money for Purposes of Religion.
 55. Waste Lands of the Crown.
 56. Power to appropriate Consolidated Revenue.
 57. Appropriation Bills.
 58. Appropriation to be in pursuance of Message.
 59. Warrants for Issue of Money.
 60. Proclamation of this Act.
 61. Power for Legislature to alter this Act.
 62. Power to alter Electoral Act.
 63. Interpretation Clause.
 64. This Act not to be in force until the Repeal of the Acts herein mentioned;
 9 Geo. 4. c. 83.; 5 & 6 Vict. c. 36.; 5 & 6 Vict. c. 76.; 7 & 8 Vict. c. 72.
 7 & 8 Vict. c. 74.; 9 & 10 Vict. c. 104.; 13 & 14 Vict. c. 59.
- SCHEDULES A. to F.

SCHEDULE (2.)

Acts repealed so far as inconsistent with this Act.

10 May 1855. 18 VICT.



A

B I L L

TO

Enable Her Majesty to assent to a Bill, as amended,
of the Legislature of Victoria, to establish a
Constitution in and for the Colony of Victoria.

WHEREAS the Legislative Council of the Colony of Victoria, Preamble.
constituted and assembled by virtue of and under the
Authority of an Act of Parliament passed in the Four-
teenth Year of Her Majesty, Chapter Fifty-nine, intituled "An Act
5. "for the better Government of Her Majesty's Australian Colonies,"
did, in the Year One thousand eight hundred and fifty-four, pass a
Bill, intituled "An Act to establish a Constitution in and for the
"Colony of Victoria:" And whereas the said Bill was presented for
Her Majesty's Assent to the then Lieutenant Governor of Victoria;
10 and the said Lieutenant Governor did thereupon declare that he
reserved the said Bill for the Signification of Her Majesty's Pleasure
thereon: And whereas it is by the said reserved Bill provided, that
the Provisions thereof shall have no Force or Effect until so much and
such Parts of certain Acts of Parliament in the said Bill specified as
15 severally relate to the said Colony, and are repugnant to the said
reserved Bill, shall have been repealed, and the entire Management
and Control of the Waste Lands belonging to the Crown in the
said Colony, and of the Proceeds thereof, including all Royalties,
Mines, and Minerals, shall be vested in the Legislature of the said
20 Colony: And whereas it is not competent to Her Majesty to assent to
[Bill 115.] A the

the said reserved Bill without the Authority of Parliament for that Purpose: And whereas it is expedient that Her Majesty should be authorized to assent to the said reserved Bill, amended by the Omission of certain Provisions thereof, respecting the Assent of the Governor to the Bills which may be passed by the Legislative 5 Councils and Assemblies of the said Colony, and Her Majesty's Power to disallow the same, and that so much and such Parts as aforesaid of the said specified Acts of Parliament, and of certain other Acts of Parliament herein-after mentioned, should thereupon be repealed, and that the entire Management and Control of the said 10 Waste Lands and Proceeds should be vested in the Legislature of the said Colony: And whereas a Copy of the said Bill, as amended as aforesaid, is set forth in the Schedule (1) to this Act: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Com- 15 mons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to
Her Majesty
to assent to
the Bills in
Schedule
to this Act.

I. It shall be lawful for Her Majesty in Council to assent to the said reserved Bill, so amended as aforesaid, and contained in the Schedule to this Act annexed, anything in the said specified Acts 20 of Parliament, or any other Act, Law, or Usage to the contrary in anywise notwithstanding.

Repeal of
Portions of
the Acts in
Schedule(2.)
to this Act.

II. From the Day of the Proclamation of this Act in the said Colony of Victoria (the said reserved Bill, amended as aforesaid, 25 having been previously assented to by Her Majesty in Council as aforesaid,) so much and such Parts of the several Acts of Parliament mentioned in the Schedule (2) to this Act as severally relate to the said Colony of Victoria, and are repugnant to the said reserved Bill, amended as aforesaid, shall be repealed, and the entire Management and Control of the Waste Lands belonging to the Crown in the said 30 Colony of Victoria, and of the Proceeds thereof, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: Provided, that so much of the Act of the Thirteenth and Fourteenth Years of Her Majesty, mentioned in the said Schedules, as relates to the Constitution, Appointment, and Powers of the Legislative 35 Council of the said Colony of Victoria, shall continue in force until the First Writs shall have issued for the Election of Members to serve in the Legislative Council and House of Assembly, in pursuance to the Provisions of the said reserved Bill, amended and assented to as aforesaid, but no longer: Provided that nothing herein contained shall prevent or 40 be construed to prevent the Fulfilment of any Contract, Promise, or Engagement made by or on behalf of Her Majesty with respect to any Lands situate within the said Colony in any Cases where such Contract,

Contract, Promise, or Engagement shall have been lawfully made before the Time at which this Act shall take effect within the said Colony.

III. The Provisions of the said Act of the Fourteenth Year of Her Majesty, Chapter Fifty-nine, and of the Act of the Fifth and Sixth Years of Her Majesty, Chapter Seventy-six, "for the Government of New South Wales and Van Diemen's Land," which relate to the giving and withholding of Her Majesty's Assent to Bills, and the Reservation of Bills for the Signification of Her Majesty's Pleasure thereon, and the Instructions to be conveyed to Governors for their Guidance in relation to the Matters aforesaid and the Disallowance of Bills by Her Majesty, shall apply to Bills to be passed by the Legislative Council and Assembly constituted under the said reserved Bill and this Act, and by any other Legislative Body or Bodies which may at any Time hereafter be substituted for the present Legislative Council and Assembly.

Provisions of former Acts respecting the Allowance and Disallowance of Bills, preserved.

IV. It shall be lawful for the Legislature of Victoria to make Laws altering or repealing all or any of the Provisions of the said reserved Bill, in the same Manner as any other Laws for the good Government of the said Colony, subject, however, to the Conditions imposed by the said reserved Bill on the Alteration of the Provisions thereof in certain Particulars, until and unless the said Conditions shall be repealed or altered by the Authority of the said Legislature.

Power to repeal and alter the Provisions of the reserved Bill.

V. This Act shall be proclaimed in Victoria, by the Governor thereof, within One Month after a Copy thereof shall have been received by such Governor, and this Act and the said reserved Bill, as amended as aforesaid, (such Bill being first assented to by Her Majesty in Council,) shall take effect in the said Colony from the Day of such Proclamation.

Commencement of the Act.

VI. In the Construction of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government, and the Word "Legislature" shall include as well the Legislature to be constituted under the said reserved Bill and this Act, as any future Legislature which may be established in the said Colony under the Powers in the said reserved Bill and this Act contained.

Interpretation.

SCHEDULES to which this Act refers.

SCHEDULE (1.)

An Act to establish a Constitution in and for the Colony of Victoria.

Preamble.

WHEREAS by an Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, passed in the Session holden in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act "for the better Government of Her Majesty's Australian Colonies," it was amongst other things enacted, that, notwithstanding anything therein-before contained, it should be lawful for the Governor and Legislative Council of the Colony of Victoria, after the Establishment therein of a Legislative Council under the said Act, from Time to Time, by any Act or Acts, to alter the Provisions or Laws for the Time being in force under the said Act, or otherwise concerning the Election of the Elective Members of such Legislative Council, the Qualification of Electors and Elective Members, or to establish in the said Colony, instead of the Legislative Council, a Council and a House of Representatives, or other separate Legislative Houses, to consist respectively of such Members to be appointed or elected respectively by such Persons and in such Manner as by such Act or Acts should be determined, and to vest in such Council and House of Representatives, or other separate Legislative Houses, the Powers and Functions of the Legislative Council for which the same might be substituted: And whereas it is expedient to establish in the said Colony separate Legislative Houses, and to vest in them as well the Powers and Functions of the Legislative Council now subsisting as the other and additional Powers and Functions herein-after mentioned: Be it therefore enacted by his Excellency the Lieutenant Governor of the said Colony of Victoria, by and with the Advice and Consent of the Legislative Council thereof, as follows:

Separate Legislative House established.

I. There shall be established in Victoria, instead of the Legislative Council now subsisting, One Legislative Council and One Legislative Assembly, to be severally constituted in the Manner herein-after provided; and Her Majesty shall have Power, by and with the Advice and Consent of the said Council and Assembly, to make Laws in and for Victoria, in all Cases whatsoever.

Legislative Council constituted.

II. The Legislative Council of Victoria shall consist of Thirty Members, to be elected as herein-after provided; and for the Purpose of returning such Members the said Colony shall be divided into Six Electoral Provinces, the Boundaries whereof, for the Purposes of this Act, shall be taken to be those set forth in the Schedule marked E. hereunto annexed, and each such Province shall return an equal Number of Members.

III. At

III. At the First Election of the Members of the said Council held after this Act shall have come into operation, each Province shall return the Number of Members assigned thereto in the said Schedule, and at the Expiration of Two Years from the Date of such First Election, and thenceforward at the Expiration of every succeeding Period of Two Years, One of the Members returned for each of the said Electoral Provinces respectively shall retire from the said Council, and those shall so retire who shall have been for the longest Time Members thereof without Re-election : Provided that any Member elected in the Place of a Member dying, resigning, or retiring, otherwise than by Rotation, shall hold his Seat only so long as the Member in whose Place he has been elected would have been entitled to have held the same ; provided further, that of Members elected for any Province at the First Election as aforesaid, the Member who may at his Election have received the least Number of Votes shall first so retire, and in case of an Equality of Votes, or of no Polling having taken place at such Election, it shall be decided by Lot which Member shall so retire ; provided also, that any Member so retiring shall, if otherwise qualified, be capable of being re-elected.

Retirement of
Members in
rotation.

IV. No Person shall be capable of being elected a Member of the Legislative Council who shall not be of the full Age of Thirty Years, and a natural-born Subject of the Queen, and who shall not for One Year previous to such Election have been legally or equitably seised of or entitled to an Estate of Freehold in possession, for his own Use and Benefit, in Lands and Tenements in the said Colony of Victoria of the Value of Five thousand Pounds Sterling Money, or of the annual Value of Five hundred Pounds Sterling Money, above all Charges and Incumbrances affecting the same respectively : Provided that no Judge of any Court of the said Colony appointed during good Behaviour, nor and Minister of any Religious Denomination, whatever may be his Title, Rank, or Designation, shall be capable of being elected a Member of the Legislative Council ; provided further, that no Person who shall have been attainted of any Treason, or convicted of any Felony or infamous Offence, within any Part of Her Majesty's Dominions, shall be capable of being elected a Member of the Legislative Council.

Qualification of
Members.

V. Every Man of the Age of Twenty-one Years, being a natural-born Subject of Her Majesty, or being a naturalized Subject, or a legally-made Denizen of Victoria, (such Naturalization or Denization having been made Three Years previous to the Date of the last Registration of Electors made in pursuance of the Provisions hereof,) and having resided in Victoria for any One Year previous to such Registration, who shall have a Freehold Estate in possession, for his own Use and Benefit, in Lands and Tenements, situate within the Electoral Province for which his Vote is to be given of the clear Value of One thousand Pounds Sterling Money, or of the clear annual Value of One hundred Pounds Sterling Money, above all Charges and Incumbrances affecting the same respectively, or shall have a Leasehold Estate in possession, situated as aforesaid, held upon a Lease whereby a Rent of One hundred Pounds or upwards shall be reserved, or of the clear annual Value of One hundred Pounds above all Charges and Outgoings, every such Lease having been granted for a Period of not less than Five Years, or who shall be resident within the Electoral Province for which his Vote is to be given, and be a Graduate of any University in the British Dominions, or a Barrister or Solicitor on the Roll of the Supreme Court of Victoria, or a legally qualified Medical Practitioner, or an officiating

Qualification of
Electors.

Minister, or an Officer or retired Officer of Her Majesty's Land or Sea Forces, except on actual Service, shall, being duly registered, be entitled to vote at the Election of a Member or Members of the Legislative Council: Provided, that no Person shall be entitled to be registered as such Elector for any Province in respect of any such Estate, Occupation, or Qualification as aforesaid, unless he shall have been seised or possessed of or occupied or held the same respectively for the Period of Twelve Calendar Months at least previous to such Registration as aforesaid; provided also, that no Person shall be entitled to be registered as aforesaid who shall have been attainted or convicted of Treason, Felony, or other infamous Offence, in any Part of Her Majesty's Dominions, unless he shall have received a free Pardon, or have undergone the Sentence passed on him for such Offence; provided also, that no Man shall be entitled to be registered in respect of any such Estate or Occupation as aforesaid unless at the Time of such Registration of Electors he shall have paid up all Rates and Taxes which shall have become payable by him as Owner or Leaseholder in respect of such Estate, or as Occupier in respect of such Occupation, except such as shall have become payable during Three Calendar Months next before such Registration; provided further, that no Person who shall attain the Age of Twenty-one Years after the Expiration of Two Years from the passing hereof shall be entitled to be registered as aforesaid unless he shall be able to read and write.

Election of
President.

VI. The Legislative Council shall, at its First Meeting, and before proceeding to the Despatch of any other Business, elect One Member of the said Council to be the President thereof; and as often as the Place of the said President shall become vacant by Death, Resignation, or Removal by a Vote of the Council or by Disallowance as herein-after mentioned, or otherwise, shall forthwith proceed to elect some other Member to be the President thereof, and the President so elected shall preside at the Meetings of the Council: Provided, that it shall be lawful for the Governor to disallow the Choice of any such President, and upon such Disallowance being signified by the Governor to the Council the Place of such President shall become vacant.

Declaration by
Members.

VII. Every Member of the Legislative Council, before he shall sit or vote in the Council, after the Election of a President, shall make and subscribe a Declaration in Writing under his Hand, and deliver the same to the Clerk of the Council at the Place where and while the Council is sitting, with the President in the Chair, which Declaration shall be in the Form set forth in the Schedule hereunto annexed marked A.; and the said Declaration shall be filed and kept by the Clerk with the other Records of the Office; and every Member who shall sit or vote in the Council, after the Election of a President, before making such Declaration as aforesaid, shall be liable for every Day on which he shall so offend to pay the Sum of Two hundred Pounds, to be recovered by any Person who shall sue for the same in any Court of competent Jurisdiction.

Resignation of
Members.

VIII. It shall be lawful for any Member to resign his Seat in the Legislative Council by a Letter addressed to the Governor, and from the Time when the same shall have been received by the Governor the Seat of such Member shall become vacant.

Quorum of
Legislative
Council.

IX. The Legislative Council shall not be competent to the Despatch of Business unless there be present, exclusive of the President, One Third at least of the Members of the said Council, or if the whole Number of Members thereof shall

shall not be exactly divisible by Three, then such integral Number as is next greater than One Third of the Members of the said Council ; and all Questions, save as herein excepted, which shall arise in the Council, shall be decided by a Majority of the Members present, other than the President, and when the Votes shall be equal the President shall have the Casting Vote.

X. The Legislative Assembly of Victoria shall consist of Sixty Members, to be elected as herein-after provided ; and for the Purpose of returning such Members the said Colony shall be divided into Thirty-seven Electoral Districts, the Boundaries whereof shall for the Purposes of this Act be those set forth in the Schedule hereunto annexed marked F., each of which Districts shall return the Number of Members assigned thereto in the said Schedule.

Legislative
Assembly, how
constituted.

XI. No Person shall be capable of being elected a Member of the Assembly who shall not be of the full Age of Twenty-one Years, or who shall not be a natural-born Subject of the Queen, or have been naturalized by Law for the Space of Five Years, and been resident in Victoria for the Space of Two Years previous to such Election, and who shall not be legally or equitably seised of or entitled to an Estate of Freehold in possession, for his own Use and Benefit, in Lands and Tenements in Victoria of the Value of Two thousand Pounds Sterling Money, or of the annual Value of Two hundred Pounds Sterling Money above all Charges and Incumbrances affecting the same : Provided, that no Person shall be capable of being elected a Member to serve in the Assembly who shall be a Judge of any Court of the said Colony appointed during good Behaviour, or a Minister of any Religious Denomination, whatever may be his Title, Rank, or Designation ; provided further, that no Person who shall have been attainted of any Treason, or convicted of any Felony or infamous Crime, in any Part of Her Majesty's Dominions, shall be capable of being elected a Member of the said Assembly.

Qualification
of Members.

XII. Every Man of the Age of Twenty-one Years, being a natural-born Subject of Her Majesty, or being a naturalized Subject or a legally-made Denizen of Victoria, and having resided in the said Colony for any One Year previous to the Date of the last Registration of Electors, who shall have a Freehold Estate in possession, situate within the Electoral District for which his Vote is to be given, of the clear Value of Fifty Pounds Sterling Money, or of the clear annual Value of Five Pounds Sterling Money above all Charges and Incumbrances in any way affecting the same, or shall have a Leasehold Estate in possession, situate as aforesaid, of the annual Value of Ten Pounds Sterling Money above all Charges and Incumbrances affecting the same, or shall be a Householder within such District occupying any House, Warehouse, Counting-house, Office, Shop, or other Building or Premises of the clear annual Value of Ten Pounds Sterling Money, or shall, in consideration of any Payment to the Public Revenue, be entitled, under any Law now or hereafter to be in force, to occupy, for the Space of Twelve Months or upwards, any Portion of the Waste Lands of the Crown situate as aforesaid, or shall, being resident within the Electoral District for which his Vote is to be given, be in receipt of an annual Salary of One hundred Pounds Sterling Money, shall, being duly registered, be entitled to vote at the Election of a Member or Members of the Legislative Assembly : Provided, that no Person shall be entitled to be registered as an Elector upon the Electoral Roll of any Electoral District unless he shall have been seised or possessed of, or occupied, used, enjoyed, held, or been in receipt of the Qualification

Qualification
of Electors.

cation in respect whereof he shall claim to be registered for the Period of Six Calendar Months at least previous to such Registration; provided also, that no Person shall be entitled to be registered as aforesaid who shall have been attainted or convicted of Treason, Felony, or other infamous Offence, in any Part of Her Majesty's Dominions, unless he shall have received a free Pardon, or undergone the Sentence passed on him for such Offence; provided further, that no Man shall be entitled to be registered as aforesaid in respect of such Estate or Occupation unless at the Time of such Registration he shall have paid up all Rates and Taxes which shall have become payable by him as Owner or Leaseholder in respect of such Estate, or as Occupier in respect of such Occupation, except such as shall have become payable during Three Calendar Months next before such Registration; provided lastly, that no Person who shall attain the Age of Twenty-one Years after the Expiration of Two Years from the passing hereof shall be entitled to be registered unless he shall be able to read and write.

Joint Interests.

XIII. Where any Premises are jointly owned or occupied or held upon Lease by more Persons than One, each of such Joint Owners, Occupiers, or Leaseholders shall be entitled to be registered as an Elector, and to vote at the Election of Members to serve in the Council or Assembly, as the Case may be, provided the Value of his individual Share or Interest in the said Premises would under the Provisions of this Act entitle such Owner, Occupier, or Leaseholder to be registered as such Elector, and to vote as aforesaid.

Provision as to Trustees and Mortgagees.

XIV. No Person shall be allowed to have any Vote in the Election of a Member of the Council or Assembly for or by reason of any Trust Estate or Mortgage, unless such Trustee or Mortgagee be in actual Possession or Receipt of the Rents and Profits of the same Estate, but the Mortgagor or Cestuique Trust in possession shall and may vote for the same Estate, notwithstanding such Mortgage or Trust.

What to be a Charge or Incumbrance.

XV. No public Tax, Rate, or Charge shall be deemed to be any Charge or Incumbrance on Lands within the Meaning of this Act.

Members of Council incapable of being Members of Assembly, and vice versa.

XVI. No Person, being a Member of the Council, shall be capable of being elected or of sitting or voting as a Member of the Assembly, nor shall any Person being a Member of the said Assembly be capable of being elected or of sitting or voting as a Member of the said Council.

Persons becoming incapable.

XVII. If any Member of the Legislative Council or the Legislative Assembly shall accept of any Office of Profit under the Crown during Pleasure, his Seat shall thereupon become vacant, but such Person shall, if otherwise duly qualified, be capable of being re-elected.

Who are to be responsible Officers.

XVIII. Of the following Officers of Government for the Time being, that is to say, the Colonial Secretary or Chief Secretary, Attorney General, Colonial Treasurer or Treasurer Commissioner of Public Works, Collector of Customs or Commissioner of Trade and Customs, Surveyor General or Commissioner of Crown Lands and Survey, and Solicitor General, or the Persons for the Time being holding those Offices, Four at least shall be Members of the Council or Assembly.

Duration of Assembly.

XIX. Every Assembly hereafter to be summoned and chosen shall continue for Five Years from the Day of the Return of the Writs for choosing the same, and no longer, subject nevertheless to be sooner dissolved by the Governor.

XX. The

XX. The Legislative Assembly of Victoria shall, at its First Meeting after every General Election, and before proceeding to the Despatch of any other Business, elect a Member of such Assembly to be Speaker, and in case of his Death, Resignation, or Removal by a Vote of the Assembly, shall forthwith proceed to elect some other Member to be Speaker; and the Speaker so elected shall preside at the Meetings of the Assembly, except as may be provided by the Standing Rules and Orders hereby authorized to be made.

Election of Speaker.

XXI. The Legislative Assembly shall not be competent to the Despatch of Business unless there be present, exclusive of the Speaker, Twenty Members thereof; and all Questions, save as herein excepted, which shall arise in the Assembly, shall be decided by the Majority of Members present, other than the Speaker, and when the Votes shall be equal the Speaker shall have the Casting Vote.

Quorum of Assembly.

XXII. No Omission or Failure to elect a Member or Members in or for any Electoral Province or District, nor the vacating the Seat or avoiding the Election of any such Member or Members, shall be deemed or taken to make either the Legislative Council or the Legislative Assembly, as the Case may be, incomplete, or to invalidate any Proceedings thereof, or to prevent such Council or Assembly from meeting, and despatching Business, so long as there shall be a Quorum of Members present.

Quorum of Houses may act, though Election may have failed.

XXIII. It shall be lawful for any Member to resign his Seat in the Legislative Assembly by Writing under his Hand addressed to the Speaker, and from the Time when the same shall have been received by the Speaker the Seat of such Member shall become vacant.

Resignation of Members.

XXIV. If any Member of the Legislative Council or Legislative Assembly shall, for One entire Session thereof, without the Permission of the said Council or Assembly, as the Case may be, fail to give his Attendance in such Council or Assembly, or shall take any Oath or make any Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign Prince or Power, or adopt any Act whereby he may become a Subject or Citizen of any Foreign State or Power, or shall become bankrupt or an Insolvent Debtor, within the Meaning of the Laws in force within Victoria relating to Bankrupts or Insolvent Debtors, or shall become a Public Defaulter, or be attainted of Treason, or be convicted of Felony or any infamous Crime, or become non compos mentis, his Seat in the said Council or Assembly, as the Case may be, shall thereby become vacant.

Seat, how vacated.

XXV. Any Person who shall, directly or indirectly, himself, or by any Person whosoever in trust for him or for his Use or Benefit or on his Account, undertake, execute, hold, or enjoy, in the whole or in part, any Contract or Agreement for or on account of the Public Service, shall be incapable of being elected or of sitting or voting as a Member of the Council or Assembly during the Time he shall execute, hold, or enjoy any such Contract, or any Part or Share thereof, or any Benefit or Emolument arising from the same: Provided, that nothing herein contained shall extend to any Contract or Agreement made, entered into, or accepted by any Company or Association consisting of more than Twelve Persons, where such Contract or Agreement shall be made,

Public Contractors incapable.

entered into, or accepted for the general Benefit of such Company or Association; provided also, that if any Member of the Council or Assembly shall enter into any such Contract or Agreement his Seat shall be declared by the said Council or Assembly respectively to be and shall thereupon become void.

Effects of Incapacity.

XXVI. If any Person by this Act disabled or declared to be incapable to sit or vote in the Legislative Council or Legislative Assembly be elected and returned as a Member to serve in the said Council or Assembly, such Election and Return may be declared by the said Council or Assembly, as the Case may be, to be void, and thereupon the same shall become void to all Intents and Purposes; and if any Person so elected and returned contrary to the Provisions of this Act shall sit or vote as Member of the said Council or Assembly, he shall be liable to pay the Sum of Two hundred Pounds, to be recovered by any Person who shall sue for the same in any Court of the said Colony having competent Jurisdiction.

Power for existing Legislature to make Provision for regulating Elections, &c.

XXVII. The Legislature of Victoria in existence at the Time of the Proclamation of this Act, as herein-after mentioned, shall, by an Act or Acts to be for that Purpose made and passed in the Manner and subject to the Conditions required in respect of any Act or Acts made or passed by such Legislature, make all necessary Provision for the Compilation and Revision of Lists of all Persons qualified to vote at the Elections of Members to serve in the said Council and Assembly respectively, and for the Registration of such Persons, and for the appointing of Returning Officers at such Elections, and for the issuing, executing, and returning the necessary Writs for the same, and generally for declaring and filling up all Vacancies in such Council and Assembly respectively, and for regulating the Proceedings and taking the Poll at all such Elections, and for determining the Validity of all disputed Returns and Elections, and otherwise for ensuring the orderly, effective, and impartial Conduct of all such Elections.

Convocation, Prorogation, and Dissolution.

XXVIII. It shall be lawful for the Governor to fix such Places within Victoria, and, subject to the Limitation herein contained, such Times for holding the First and every other Session of the Council and Assembly, and to vary and alter the same respectively in such Manner as he may think fit, and also from Time to Time to prorogue the said Council and Assembly, and to dissolve the said Assembly, by Proclamation or otherwise, whenever he shall deem it expedient: Provided, that nothing herein contained shall empower the Governor to dissolve the Council.

Sessions of Council and Assembly.

XXIX. There shall be a Session of the Council and Assembly of Victoria once at least in every Year, so that a Period of Twelve Calendar Months shall not intervene between the last Sitting of the Council and Assembly in one Session and the First Sitting of the Council and Assembly in the next Session.

Time of First Election.

XXX. The First Writs for the Election of Members of the Council and Assembly respectively shall issue at some Period not later than Twelve Calendar Months after the Proclamation of this Act within Victoria.

Declaration by Members.

XXXI. Every Member of the Legislative Assembly shall, after the Election of the Speaker, before he shall sit or vote in such Assembly, make and subscribe

scribe a Declaration in Writing under his Hand, and deliver the same to the Clerk of the Assembly at the Place where and while the House is sitting, with the Speaker in the Chair, which Declaration shall be in the Form set forth in the Schedule hereunto annexed marked B., and the said Declaration shall be filed and kept by the Clerk with the other Records of the Office; and every Member who shall sit or vote in the said Assembly after the Election of a Speaker, before making such Declaration as aforesaid, shall be liable for every Day on which he shall so offend to a Penalty of Two hundred Pounds.

XXXII. No Member either of the Council or of the Assembly shall be permitted to sit or vote therein respectively until he shall have taken and subscribed before the Governor, or before some Person authorized by the Governor in that Behalf, the Oath set forth in the Schedule hereunto annexed marked C.; and every Person authorized by Law to make an Affirmation instead of making an Oath may make such Affirmation in every Case in which an Oath is herein required to be taken. Oath of Allegiance.

XXXIII. If any Member either of the Council or Assembly shall knowingly and wilfully make a false Declaration respecting his Qualification as aforesaid, such Person shall be deemed to be guilty of a Misdemeanor, and, being thereof lawfully convicted, shall suffer the like Pains and Penalties as by Law are incurred by Persons guilty of wilful and corrupt Perjury. False Declaration.

XXXIV. The Legislative Council and Legislative Assembly, in the First Session of each respectively, and from Time to Time afterwards as there shall be Occasion, shall prepare and adopt Standing Rules and Orders for providing for the Manner in which such Council and Assembly shall be presided over in case of the Absence of the President or Speaker respectively, and for the Mode in which such Council and Assembly shall communicate, and for the proper passing, intituling, and numbering of the Bills to be introduced into and passed by the said Council and Assembly, and for the proper Presentation of the same to the Governor for Her Majesty's Assent, and for the Consideration of all Amendments proposed to be made by the Governor, as herein mentioned, and for the due Publication of all proposed Proceedings in such Council and Assembly, and generally for the Conduct of all Business and Proceedings in the said Council and Assembly severally and collectively, all which Rules and Orders shall by such Council and Assembly, respectively be laid before the Governor, and being by him approved shall become binding and of Force; and until such Standing Rules and Orders shall be adopted, Resort shall be had to the Rules, Forms, and Usages of the Imperial Parliament of Great Britain and Ireland, which shall be followed, so far as the same may be applicable to the Proceedings of the said Council and Assembly respectively: Provided, that no Standing Rule or Order which shall affect the Communication between the said Council and Assembly, or the Proceedings of the said Council and Assembly collectively, shall be of any Force unless the same shall have been adopted both by the said Council and Assembly. Standing Rules and Orders.

XXXV. It shall be lawful for the Legislature of Victoria by any Act or Acts to define the Privileges, Immunities, and Powers to be held, enjoyed, and exercised by the Council and Assembly, and by the Members thereof respectively: Privileges of Legislature.

respectively: Provided, that no such Privileges, Immunities, or Powers shall exceed those now held, enjoyed, and exercised by the Commons House of Parliament or the Members thereof.

Governor's
Message.

XXXVI. It shall be lawful for the Governor to transmit by Message to the Council or Assembly for their Consideration any Amendment which he shall desire to be made in any Bill presented to him for Her Majesty's Assent; and all such Amendments shall be taken into consideration in such convenient Manner as shall by the Rules and Orders aforesaid be in that Behalf provided.

Appointment to
Public Offices.

XXXVII. The Appointment to Public Offices under the Government of Victoria, hereafter to become vacant or to be created, whether such Offices be salaried or not, shall be vested in the Governor, with the Advice of the Executive Council, with the Exception of the Appointments of the Officers liable to retire from Office on Political Grounds, which Appointments shall be vested in the Governor alone.

Commissions of
Judges.

XXXVIII. The Commissions of the present Judges of the Supreme Court and all future Judges thereof shall be, continue, and remain in full Force during their good Behaviour, notwithstanding the Demise of Her Majesty or of Her Heirs and Successors, any Law, Usage, or Practice to the contrary hereof in anywise notwithstanding: Provided always, that it may be lawful for the Governor to remove any such Judge or Judges, upon the Address of both Houses of the Legislature.

Salaries of
Judges.

XXXIX. Such Salaries as are settled upon the Judges for the Time being by Act of Parliament or otherwise, and all such Salaries as shall or may be in future granted by Her Majesty, Her Heirs and Successors, or otherwise, to any future Judges of the said Supreme Court, shall in all Time coming be paid and payable to every such Judge for the Time being so long as his Patent or Commission shall continue and remain in force.

Existing Laws.

XL. All Laws and Statutes which at the Time of the passing of this Act shall be in force within Victoria shall remain and continue to be of the same Force, Authority, and Effect as if this Act had not been made, except in so far as the same are repealed or varied by this Act, or in so far as the same shall or may hereafter by virtue and under the Authority of this Act, be repealed or varied by any Act or Acts of the Legislature of Victoria.

Existing Courts
and Offices.

XLI. All the Courts of Civil and Criminal Jurisdiction within Victoria, and all Charters, legal Commissions, Powers, and Authorities, and all Offices, judicial, administrative, or ministerial, therein respectively, except in so far as the same may be abolished, altered, or varied by or may be inconsistent with the Provisions of this Act, or shall be abolished, altered, or varied by any Act or Acts of the Legislature, shall continue to subsist in the same Form and with the same Effect as if this Act had not been made.

Certain Duties
may not be
levied.

XLII. It shall not be lawful for the Legislature of Victoria to levy any Duty on Articles imported *bonâ fide* for the Supply of Her Majesty's Land or Sea Forces, nor to levy any Duty, impose any Prohibition or Restriction, or grant any Exemption, Bounty, Drawback, or other Privilege upon the Importation or Exportation of any Articles, nor to impose or enforce any Dues or Charges upon

upon Shipping, contrary to or at variance with any Treaty or Treaties concluded by Her Majesty with any Foreign Power.

XLIII. Subject to the Provisions of this Act, and notwithstanding any Act of Parliament now in force to the contrary, it shall be lawful for the Legislature to impose and levy such Duties of Customs as to them may seem fit on the Exportation from or Importation into Victoria of any Goods, Wares, and Merchandise whatsoever, whether the Produce of or imported from the United Kingdom, or any of the Colonies or Dependencies of the United Kingdom, or any Foreign Country : Provided always, that no new Duty shall be so imposed upon the Importation into Victoria of any Article the Produce or Manufacture of or imported from any particular Country or Place which shall not be equally imposed on the Importation into Victoria of the like Article the Produce or Manufacture of or imported from all other Countries and Places whatsoever.

Powers to levy Duties of Customs.

Proviso.

XLIV. In case at any Time hereafter the Legislative Houses of the said Colony of Victoria, of the Colony of New South Wales, of the Colony of Van Diemen's Land, or of the Colony of South Australia, shall petition Her Majesty to alter the Boundaries of the said Colonies or any of them, so as to transfer to any of such Colonies a Portion of the Territories comprised in the other of them, it shall be lawful for Her Majesty, by any Order to be made with the Advice of Her Privy Council, to alter the Boundaries, in pursuance of the Prayer of any such Petition, or in such other Manner as Her Majesty, with such Advice, shall think fit: Provided, that no Alteration shall take place in the Boundaries of any such Colony unless the Assent of the Colony losing any Portion of its Territory by such Alteration shall be expressed in some Legislative Provision of such Colony.

Boundaries of Colony how to be altered.

XLV. All Taxes, Imposts, Rates, and Duties, and all territorial, casual, and other Revenues of the Crown, (including Royalties,) from whatever Source arising, within the Colony of Victoria, or over which the present or any future Legislature has or may have Power of Appropriation, shall form One consolidated Revenue, to be appropriated for the Public Service of the Colony of Victoria, in the Manner and subject to the Charges herein-after mentioned.

Consolidated Revenues.

XLVI. The consolidated Revenue of Victoria shall be permanently charged with all the Costs, Charges, and Expenses incident to the Collection, Management, and Receipt thereof, such Costs, Charges, and Expenses being subject, nevertheless, to be reviewed and audited in such Manner as shall be directed by any Act of the Legislature.

Charges of Collection and Management.

XLVII. There shall be payable in every Year to Her Majesty, Her Heirs and Successors, out of the consolidated Revenue of Victoria, the several Sums not exceeding in the whole One hundred and twelve thousand seven hundred and fifty Pounds, for defraying the Expense of the several Services and Purposes named in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Parts of the Schedule to this Act annexed marked D., and the said Sums shall be issued by the Treasury of Victoria in discharge of such Warrants as shall be from Time to Time directed to him under the Hand of the Governor, and the said Treasurer shall account to Her Majesty for the same through the Lords Commissioners of Her Majesty's Treasury, in such Manner and Form as Her

Civil List.

Majesty shall be graciously pleased to direct; and Accounts in detail of the Expenditure of the several Sums expended under the Authority of this Act shall be laid before the Legislative Houses of Victoria within Thirty Days from the Beginning of the Session next after the Termination of the Year in which such Expenditure shall have been made.

Civil List to be
in lieu of Crown
Revenues.

XLVIII. The said several Sums mentioned in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Parts of the said Schedule D. shall be accepted and taken by Her Majesty, Her Heirs and Successors, by way of Civil List, instead of all territorial, casual, and other Revenues of the Crown (including all Royalties), from whatever Source arising, within Victoria, and to the Disposal of which the Crown may be entitled, either absolutely or conditionally, or otherwise howsoever.

Governor may
abolish certain
Offices.

XLIX. It shall be lawful for the Governor to abolish any of the Offices named in the Third and Fourth Parts of the said Schedule, or to apply the Sums thereby appropriated to such other Purposes connected with the Administration of the Government of Victoria as to Her Majesty, Her Heirs and Successors, shall seem fit.

Pensions to
Judges.

L. Not more than Four thousand Pounds shall be payable at the same Time for Pensions to the Judges of the Supreme Court out of the Sums set apart for such Pensions in the Fifth Part of the said Schedule : Provided, that all such Pensions shall be granted in accordance with Regulations to be framed by the Governor and Executive Council, so that the same shall, as far as may be, accord with the Act of the Imperial Parliament regulating the Pensions of the Judges of the United Kingdom.

Pensions to pre-
sent Incumbents
of Office.

LI. Not more than Five thousand two hundred and fifty Pounds shall be payable in the whole by way of Pension or Retiring Allowance to the Persons holding any of the Offices mentioned in the Sixth Part of the said Schedule D. at the Time of this Act coming into operation, who on political Grounds may retire or be released from any such Office, or whose Office may be abolished after the Time aforesaid ; and upon the Retirement or Release from Office of any of such Persons mentioned in the said Sixth Part, or the Abolition of any such Office, he shall be entitled by way of Pension or Retiring Allowance to Three Fourths of the Salary granted to him, in accordance with the Appropriation Act for the Service of the Year One thousand eight hundred and fifty-three, if he shall have held any Office for Ten Years and upwards, and Two Thirds of such Salaries if he shall have held Office for a less Period : Provided, that, if after the Assignment of any such Pension or Retiring Allowance, any such Officer shall accept any new Appointment under the Crown within Victoria or elsewhere, his Pension or Retiring Allowance shall during the Tenure of such Appointment merge or be reduced pro tanto according as the Salary or Emoluments of any such new Appointment are in Amount equal to or less than the Pension or Retiring Allowance of such Officer.

Proviso.

Pensions to
responsible
Officers.

LII. Not more than Four thousand Pounds shall be payable in the whole by way of Pensions or Retiring Allowance to the Persons who may, after the Time this Act shall come into operation, accept any of the Offices mentioned in the said Schedule D., Part 3., and who on political Grounds may retire or be released

released from any such Office: Provided, that no Person shall be entitled to receive any Pension or Retiring Allowance both under this and the preceding Clause: Provided, that the Amount of all such Pensions and Retiring Allowances shall be granted in accordance with Regulations to be framed by the Governor and Executive Council, so that the same shall, so far as may be, accord with the Provisions of the Act of the Parliament of Great Britain and Ireland, passed in the Session of the Fourth and Fifth Years of the Reign of His late Majesty King William the Fourth, intituled "An Act to alter, amend, and "consolidate the Laws for regulating the Pensions, Compensations, and "Allowances to be made to Persons in respect to their having held Civil "Offices in His Majesty's Service:" Provided also, that if after the Assignment of any such Pension or Retiring Allowance to any Person he shall accept any new Appointment under the Crown, either in Victoria or elsewhere, the Pension or Retiring Allowance of such Officer shall, during the Tenure of such Appointment, merge or be reduced pro tanto according as the Salary or Emolument of any such new Appointment is in Amount equal to or less than the Pension or Retiring Allowance of such Officer: Provided further, that if any such Officer shall be absent from the Colony for more than Two Years, unless he shall be of the full Age of Sixty Years, his Pension shall cease and determine: Provided lastly, that the Amount accumulating from any unexpended or unappropriated Parts of the said Sums mentioned in the Fifth and Seventh Parts of the said Schedule D. shall in no case exceed the Sum of Ten thousand Pounds on each, and that any Balance above that Amount on either of the said Fifth or Seventh Parts shall revert to the Consolidated Revenue of Victoria.

LIII. A List of all Pensions granted under this Act, and of the Persons to whom the same shall have been granted, shall be laid in every Year before both Legislative Houses of the said Colony. List of Pensions, &c.

LIV. For the Advancement of the Christian Religion in Victoria, the Sum of Fifty thousand Pounds shall be reserved on the Eighth Part of the said Schedule to promote the Erection of Buildings for Public Worship, and the Maintenance of Ministers of Religion; and such Sum shall be apportioned to each Denomination according to the relative Proportion of the Members of such Denomination by the last Census; every such Apportionment to be made under Regulations to be framed by the Governor and Executive Council, and submitted to both the Legislative Houses: Provided, that no Monies exceeding in the aggregate the Sum of Twenty-five thousand Pounds shall be issued in any One Year in aid of the Stipends of Ministers of Religion. Money for Purposes of Religion.

LV. Subject to the Provisions herein contained, it shall be lawful for the Legislature of Victoria to make Laws for regulating the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown within the said Colony, and of all Mines and Minerals therein. Waste Lands of the Crown.

LVI. After and subject to the Payments to be made under the Provisions herein-before contained, and to any Pensions now payable and received under the Act firstly herein-before recited, and the Schedule thereunto annexed marked B, all the consolidated Revenue arising from Taxes, Duties, Rates, and Imposts levied by virtue of any Act of the Legislature, and from the Disposal of the Waste Lands of the Crown under any such Act made in pursuance of

the Authority herein contained, shall be subject to be appropriated to such specific Purposes as by any Act of the said Legislature shall be provided in that Behalf: Provided, that the Consolidation of the Revenues shall not affect the Payment of the annual Interest or the Principal Sums mentioned in any outstanding Debentures or other Charge upon the territorial Revenue as such Interest, Principal, or other Charge severally becomes due, nor shall such Consolidation affect the Payment of any Sums heretofore charged upon the Taxes, Duties, Rates, and Imposts now raised, levied, and collected, or to be raised, levied, and collected, to and for the Use of the Colony, for such Time as shall have been appointed by any Acts of the Legislature by which any such Charge was authorized.

**Appropriation
Bills.**

LXVII. All Bills for appropriating any Part of the Revenue of Victoria, and for imposing any Duty, Rate, Tax, Rent, Return, or Impost, shall originate in the Assembly, and may be rejected but not altered by the Council.

**Appropriation
to be in pur-
suance of
Message.**

LXVIII. It shall not be lawful for the Legislative Assembly to originate or pass any Vote, Resolution, or Bill, for the Appropriation of any Part of the said Consolidated Revenue Fund, or of any other Duty, Rate, Tax, Rent, Return, or Impost, for any Purpose which shall not have been first recommended by a Message of the Governor to the Legislative Assembly during the Session in which such Vote, Resolution, or Bill shall be passed.

**Warrants for
Issue of Money.**

LXIX. No Part of Her Majesty's Revenue in Victoria arising from any of the Sources aforesaid shall be issued, or shall be made issuable, except in pursuance of Warrants under the Hand of the Governor, directed to the Public Treasurer thereof.

**Proclamation
of this Act.**

LX. This Act shall be proclaimed in Victoria within Three Months after official Information of the Royal Assent thereto shall have been received by the Governor thereof, and save as herein expressly provided, shall take effect in Victoria from the Day of such Proclamation.

**Power for
Legislature to
alter this Act.**

LXI. The Legislature of Victoria, as constituted by this Act, shall have full Power and Authority from Time to Time, by any Act or Acts, to repeal, alter, or vary all or any of the Provisions of this Act, and to substitute others in lieu thereof: Provided, that it shall not be lawful to present to the Governor of said Colony for Her Majesty's Assent any Bill by which an Alteration in the Constitution of the said Legislative Council, or Legislative Assembly, or in the said Schedule hereunto annexed marked D., may be made, unless the Second and Third Readings of such Bill shall have been passed with the Concurrence of an absolute Majority of the whole Number of the Members of the Legislative Council and of the Legislative Assembly respectively: Provided also, that every Bill which shall be so passed shall be reserved for the Signification of Her Majesty's Pleasure thereon.

**Power to alter
Electoral Act.**

LXII. Notwithstanding anything herein contained, it shall be lawful for the said Legislature from Time to Time, by any Act or Acts, to alter the Qualifications of Electors and Members of the Legislative Council and Legislative Assembly respectively, and to establish new electoral Provinces or Districts, and from Time to Time to vary or alter any electoral Province or District, and to appoint, alter, or increase the Number of Members of the
Legislative

Legislative Houses to be chosen by any electoral Province or District, and to increase the whole Number of Members of the said Legislative Houses, and to alter and regulate the Appointment of Returning Officers, and to make Provision in such Manner as they may deem expedient for the Issue and Return of Writs for the Election of Members to serve in the said Legislative Houses respectively, and the Time, Place, and Manner of holding such Elections respectively.

LXIII. In the Construction of the Provisions of this Act the Term "Governor" shall mean the Person for the Time being lawfully administering the Government of the Colony of Victoria; the Word "Victoria" shall mean the Colony of Victoria; the Words "Officiating Minister" shall be taken to mean any Minister of Religion authorized according to the Forms and Usages of any Church Religious Society, or Denomination, to officiate and officiating in any Building registered according to the Law now in force in the said Colony as a Place of Public Worship; the Word "occupy" shall include the Occupation of or mining in any Lands, or the Right, Power, or Authority to enter on any Lands for the Purpose of mining therein; the Word "Council" shall mean the Legislative Council of the said Colony of Victoria; and the Word "Assembly" shall mean the Legislative Assembly of the said Colony.

Interpretation
Clause.

LXIV. The foregoing Provisions of this Act shall have no Force or Effect until so much and such Parts of the Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the Ninth Year of the Reign of His Majesty King George the Fourth, intituled "An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other Purposes relating thereto;" and of another Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies;" and of another Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled "An Act for the Government of New South Wales and Van Diemen's Land;" and of another Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled "An Act to clear up Doubts as to the Regulation and Audit of the Accounts of the Customs in New South Wales;" and of another Act passed in the same Years, intituled "An Act to explain and amend the Act for the Government of New South Wales and Van Diemen's Land;" and of another Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled "An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies, and to make further Provision for the Management thereof;" and of another Act passed in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled "An Act for the better Government of Her Majesty's Australian Colonies," and the First, Second, and Third Parts of the Schedule B. therein referred to, as severally relate to the Colony of Victoria, and are repugnant to this Act, shall have been repealed, and the entire Management and Control of the Waste Lands belonging to the Crown in the said Colony, and of the Proceeds thereof, including all Royalties, Mines, and Minerals, shall be vested in the Legislature of the said Colony: Provided, that so much of the said last-mentioned Act as

This Act not
to be in force
until the Repeal
of the Acts
herein mention-
ed. 9 Geo. 4.
c. 83.

5 & 6 Vict. c. 36.

5 & 6 Vict. c. 76.

7 & 8 Vict. c. 72.

7 & 8 Vict. c. 74.

9 & 10 Vict.
c. 104.

13 & 14 Vict.
c. 59.

relates to the Constitution, Appointment, and Powers of the Legislative Council of the said Colony of Victoria shall continue in force until the First Writs shall have issued for the Election of Members to serve in the Legislative Council and House of Assembly, in pursuance to the Provisions hereof, but no longer: Provided that nothing, herein contained shall prevent or be construed to prevent the Fulfilment of any Contract, Promise, or Engagement made by or on behalf of Her Majesty, with respect to any Lands situate within the said Colony, in any Cases where such Contract, Promise, or Engagement shall have been lawfully made before the Time at which this Act shall take effect within the said Colony.

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

I, _____ do declare and testify, that I am duly seised at Law or in Equity of an Estate of Freehold for my own Use and Benefit, in Lands or Tenements, in the Colony of Victoria, of the Value of _____ Pounds Sterling Money, above all Charges and Incumbrances affecting the same; and further, that the Lands or Tenements out of which such Qualification arises are situate in the Parish of _____ in the County of or reputed County of _____ the Description of which Lands and Tenements are as follow:

And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands or Tenements, or any Part thereof, for the Purpose of enabling me to be returned a Member of the Legislative Council of the Colony of Victoria.

SCHEDULE B.

I, A. B., do declare and testify, that I am duly seised at Law or in Equity of an Estate of Freehold for my own Use and Benefit, in Lands or Tenements in the Colony of Victoria, of the _____ Value of _____ Pounds Sterling Money, _____ above all Charges and Incumbrances affecting the same; and further, that the Lands or Tenements out of which such Qualification arises are situate in the Parish of _____, in the County or reputed County of _____, the Descriptions of which Lands and Tenements are as follow:

And I further declare, that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements, or any Part thereof, for the Purpose of qualifying or enabling me to be returned a Member of the Legislative Assembly of the Colony of Victoria.

SCHEDULE C.

I do sincerely promise and swear, that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Colony of Victoria. So help me GOD.

SCHE-

SCHEDULE D.

PART 1.		£
Governor's Salary	-	10,000
Salaries of Staff, Repairs to Government House, travelling and other Expenses	-	5,000
		£15,000
PART 2.		
Chief Justice	-	3,000
Three Puisne Judges, at 2,500% each	-	7,500
Master in Equity	-	1,500
		£12,000
PART 3.		
Colonial Secretary or Chief Secretary	-	2,500
Attorney General, Treasurer, Commissioner of Public Works, Collector of Customs, or Commissioner of Trade and Customs, Surveyor General, or Commissioner of Crown Lands and Survey, 2,000% each	-	10,000
Solicitor General	-	1,500
		£14,000
PART 4.		
Clerk and Expenses of the Executive Council	-	1,500
Clerk and Expenses of the Legislative Council	-	5,000
Auditor General	-	2,000
		£8,500
PART 5.		
Pensions to Officers appointed during good Behaviour	-	£4,000
PART 6.		
Compensation to the present Incumbents who may retire or be released on political Grounds from any of the following Offices, or whose Offices may be abolished :		
The Colonial Secretary,		
The Attorney General,		
The Colonial Treasurer,		
The Collector of Customs,		
The Solicitor General,		
The Surveyor General,		£5,250
PART 7.		
Pensions to Persons who may accept responsible Offices and retire, or be released therefrom on political Grounds		£4,000
PART 8.		
Public Worship	-	£50,000
Total	-	£112,750

SCHEDULE E.

Boundaries of the Electoral Provinces of the Legislative Council.

I. CENTRAL PROVINCE.

Commencing at a Point on the Coast of Port Phillip Bay, which is the South-eastern Corner of Portion A in Section No. 3, Parish of Cut-paw-paw, bounded on the West by the Section Line bearing due North as far as the North-eastern Corner of Section of No. 16, thence by a Road also bearing North to the North-west Corner of Portion 4 in Section No. 21; on the North by a Road running East from last-mentioned Point to the Saltwater River; thence by a Continuation of said Road to the South-west Corner of Portion 9 in Section No. 5, in the Parish of Doutta Galla; thence by the sectional Line bearing due East, crossing the Moonee Ponds, the Main Road to Sydney, and the Merri Creek, which sectional Line forms the Southern Boundaries of Portions 91, 90, and 89, in the Parish of Jika Jika, as far as the South-east Corner of Portion 89 aforesaid; on the East by the sectional Line bearing South from the said Point in Portion 89 to the South-western Corner of Portion 113, where it strikes the River Yarra Yarra; again on the North by the said River Yarra Yarra to the North-western Corner of Portion 59, in the Parish of Boroondara; thence on the East by the Western Boundary of the said Portion 59 till it strikes the Road running due South to the Yarra Yarra River; thence by the said Road to the Yarra Yarra River; by the Course of the said River to the North-eastern Corner of Portion No. 18 in the Parish of Prahran; thence again on the East by a Road bearing due South from the last-mentioned Point to the South-eastern Corner of Portion No. 32, East of Elsternwick; on the South by a Road bearing West from the last-mentioned Point till it strikes the Sea Coast; thence by the line of Sea Coast crossing the Mouth of the said Yarra Yarra River to the Point of Commencement - - Five.

2. SOUTH PROVINCE.

Including Part of County Bourke and the Counties Evelyn and Mornington.

PART OF BOURKE:—Bounded on the South-west and West by the Werribee River to its Source in the great dividing Range; on the North by the great dividing Range from the Source of the Werribee River to that of the Plenty River; on the East by the Plenty River from its Source to its Confluence with the Yarra Yarra, thence by the Yarra Yarra River upwards to the Confluence of the Deep Creek, thence by the Deep Creek upwards to the Point where the Main Stream commences to run in a North-easterly Direction, thence by a Line South Two Miles Fifty-eight Chains from the aforesaid Bend to Dandenong Creek,

thence

thence by that Creek downward to the Carrum Swamp; on the South by the Carrum Swamp and Mordialloc Creek to its Embouchure at the long Beach below Ben Ben Gin, and on the Remainder of the South by the Shores of Port Phillip Bay to the Mouth of the Werribee River aforesaid, excluding the Country comprised within the Boundaries of the Central Province.

Number of
Member of
the Legisla-
tive Council
assigned to
and to be re-
turned for
each Electoral
Province.

EVELYN:—Bounded on the West by Part of the Eastern Boundary of the County of Bourke, namely, first by the River Plenty from its Source to the River Yarra Yarra, thence by the River Yarra upwards to the Confluence of the Deep Creek, thence by that Creek upwards to the Range between the Yarra Yarra and the Dandenong Creek; on the South-east and North by the Range forming the Basin of the River Yarra Yarra.

MORNINGTON:—Bounded on the North by Part of the Southern Boundary of the County of Evelyn, being the dividing Range from the Source of the Buneep Buneep River to the Head of the Deep Creek, thence by that Creek to the Point where the main Stream commences to run in a North-west Direction; on the West by a Line South Two Miles Fifty-eight Chains from the aforesaid Bend to Dandenong Creek, thence by that Creek downwards to the Carrum Swamp, by that Swamp and the Mordialloc Creek to its Embouchure at the Long Beach below Ben Ben Gin, thence by the Shores of Port Phillip Bay to Point Nepean; on the South-west and South, by the Sea Coast from Point Nepean to Cape Patterson; and on the East by a Line North from Cape Patterson to the Warringrin Range, thence along the said Range in a northerly Direction to the North of the Buneep Buneep River, and by that River to its Source in the dividing Range, including French and Phillip Island and the small Islands in Western Port Bay - - - - -

Five.

3. SOUTH-WESTERN PROVINCE.

Including the Counties of Grant, Grenville, and Polwarth.

GRANT:—Bounded on the East by the Western Boundary of the County of Bourke, being the Werribee River from its Mouth to its Source in the great dividing Range; on the North by the great dividing Range, extending from the Source of the Werribee River to that of the Yarrowee River; on the West and South-west by the Yarrowee River to its Confluence with the Barwon River, thence by the Barwon River upwards to a Creek in H. Hopkins' purchased Land, by this Creek upwards and a Line bearing South-east across the dividing Range to the Head of the Salt Creek, Two Miles Forty-eight Chains, thence by the Salt Creek to the Sea Coast North of Point Roadknight; on the South by the Sea Coast, and on the Remainder of the East by the Waters of Port Phillip to the Mouth of the Werribee River, including the small Islands near the Channels at the Mouth of Port Phillip and those of Geelong Bay.

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GRENVILLE:—

GRENVILLE:—Bounded on the West by the Eastern Boundary of the County of Hampden, namely, a Line southerly from Emu Creek to Gnarkeet Ponds, thence by the Gnarkeet Ponds to Lake Korangamite, thence by the Western Shore of that Lake to a Point East of Lake Pormbeet; on the South by Part of the Northern Boundary of the County of Heytesbury and the Northern Boundary of the County of Polwarth, namely, the Southern Shore of Lake Korangamite, thence an East Line from Lake Korangamite to the North End of Lake Colac, thence by the North Shore of Lake Colac to the Point due West from the Source of Birregurra Creek, and from that Point by a Line East to the Source of Birregurra Creek, thence by that Creek downwards to its Confluence with the Barwon; on the East by the River Barwon to its Confluence with the Yarrowee River, thence by the Yarrowee River up to its Source in the great dividing Range; and on the North by Part of the great dividing Range to the Source of Burrambeet Creek, thence by that Creek and the Southern Shores of Lake Burrambeet to the Point where Bailie's Creek leaves the Lake, by Bailie's Creek to its Confluence with Emu Creek, thence by Emu Creek down to the Point North of the Source of Gnarkeet Ponds aforesaid.

Number of
Members of
the Legisla-
tive Council
assigned to
and to be re-
turned for
each Electoral
Province.

POLWARTH:—Bounded on the West by the Eastern Boundary of the County of Heytesbury, namely, the Gellibrand River upwards to its Source, thence by the Range to the Head of the Pirron Yalloak Creek, by this Creek to Lake Korangamite; on the North by the South-eastern Shore of Lake Korangamite, and an East Line from Lake Korangamite to the North End of Lake Colac; thence by the North Shore of Lake Colac to the Point due West from the Source of the Birregurra Creek, from that Point by a Line East to the Source of the Birregurra Creek; thence by the Birregurra Creek to its Confluence with the River Barwon, thence following the Source of the River Barwon to a Creek in H. Hopkins's purchased Land; on the North-east by this Creek upwards, and a Line across the dividing Range to the Head of the Salt Creek, bearing South-east Two Miles Forty Chains, thence by the Salt Creek to the Sea Coast North of Point Roadknight; and on the South-east and South by the Sea Coast to the Mouth of the Gellibrand River

Five.

4. WESTERN PROVINCE.

Including the Counties of Ripon, Hampden, Heytesbury, Villiers, Normanby, Dundas, and Follet.

RIPON:—Bounded on the West by the Grampian Range (which divides the Waters of the Wimmera and Glenelg Rivers from those of the River Hopkins) to the rocky Extremity near Mount Abrupt; on the South by a Line easterly to the Source of the First Creek which joins the River Hopkins above Wiselaskie's

Station

Station on the Western Side, and by that Creek to the River Hopkins, thence by a Line East to Lake Boloke, thence by the Southern Shores of Lake Boloke to the Mouth of the Prackmingerrin Creek, and by that Creek upwards to a Point where a great Bend of the Creek turns Northward, thence by a Line to a Point in Emu Creek about One Mile below, and to the West of the Confluence of Broken Creek; on the South-east and East by Emu Creek to the Confluence with Bailie's Creek, by Bailie's Creek to Lake Burrumbeet, the Southern Shores of Lake Burrumbeet and Burrumbeet Creek to its Source in the great dividing Range; and on the North by the great dividing Range to the Western Boundary aforesaid.

Number of
Members of
the Legisla-
tive Council
assigned to
and to be re-
turned for
each Electoral
Province.

HAMPDEN :—Bounded on the West by the River Hopkins upwards, from the Confluence of the Emu Creek to the Point opposite the Mouth of the small Creek above Wiselaskie's Station, dividing it from the County of Villiers; on the North by the Southern Boundary of the County of Ripon, being a Line East from the Confluence of the Creek near Wiselaskie's Station already mentioned to Lake Boloke, then by the Southern Shore of Lake Boloke to the Mouth of the Prackmingerrin Creek, then by that Creek upwards until it reaches a Spot where it forms a great Bend to the Northward, from that Point by a Line in a south-easterly Direction to Emu Creek about One Mile below, and Westward of, the Mouth of Broken Creek, thence by Emu Creek to the Point North of the Source of Gnarkeet Ponds; then on the East by the West Boundary of the County of Grenville, viz.:—First, by a Line southerly to the Source of Gnarkeet Ponds, then by Gnarkeet Ponds to Lake Korangamite, and thence by the West Shore of Lake Korangamite to a Point East of Lake Pormbeet; and on the South by a direct Line to the North End of Lake Pormbeet, and from the North End of Lake Pormbeet to the nearest Part of Emu Creek, and thence by Emu Creek to its Confluence with the River Hopkins.

HEYTESBURY :—Bounded on the North-west and North by Part of the Eastern Boundary of the County of Villiers and the Southern Boundary of the County of Hampden, being the Hopkins River from its Estuary to the Confluence of the Emu Creek, and a Line easterly to the North End of Lake Burrumbeet, thence by a Line East to Lake Korangamite, by the Southern Shore of that Lake to the Mouth of the Pirron Yalloak Creek; on the East and South-east by the Pirron Yalloak Creek to its Source, thence by a Range to the Head of the Gellibrand River, by the Gellibrand River to the Sea Coast; and on the South-west and West by the Sea Coast to the Estuary of the Hopkins River.

VILLIERS :—Bounded on the West by a Line due South from the Grange Burn to the Mouth of the Swamp Creek, thence by this Creek upwards to its Source by a Line to the Head of the Western Branch of the River Shaw, thence by the West Branch of the River Shaw to the Sea; on the South by the

Sea to the Entrance of the River Hopkins; on the East by the said River Hopkins to the Confluence of the Creek above Wise-laskie's Station, and by that Creek to its Source; on the North by a Line Westward from the Source of the last-named Creek to the rocky Extremity of the Grampians near Mount Abrupt, thence by the principal Range of the Grampians to Mount Sturgeon, and by a Line south-westerly to the North-east Corner of the County of Normanby at the Grange Burn, including all the Islands at Port Fairy.

Number of
Members of
the Legisla-
tive Council
assigned to
and to be re-
turned for
each Electoral
Province.

NORMANBY:—Bounded on the North by the Grange Burn and Wannon River, until the latter joins the Glenelg River; on the West by the Glenelg River until it reaches the Sea; on the South by the Seashore to the Mouth of the Shaw River; and on the East by the Western Branch of the Shaw River to its Source, thence a Line northerly to the Source of the Swamp Creek, by that Creek to where it empties itself into the Mount Napier Swamp, and thence by a Line due North Six Miles Fifteen Chains to the Grange Burn, including the Lawrence and Lady Julia Percy's Islands.

DUNDAS:—Bounded on the West and North by the Glenelg River upwards from the Confluence of the Wannon to its Source between the Victoria Range and Grampians, near Mount William; on the East by the Grampians to its rocky Extremity near Mount Abrupt, thence to Mount Sturgeon and by a Line crossing the Wannon River to the North-east Corner of the County of Normanby at the Grange Burn; and on the South by the Grange Burn and the Wannon River to its Confluence with the Glenelg.

FOLLET:—Bounded on the West by the One hundred and forty-first Meridian, being the Line dividing the Colony of Victoria from South Australia; on the South and East by the Glenelg River upwards to its Confluence with Power's Creek; and on the North-east and North by Power's Creek to its Source, thence a Line Westward to the Head of Mosquito Creek, and by that Creek to the Boundary Line - - - - Five

5. NORTH-WESTERN PROVINCE.

Including the Counties of Talbot and Dalhousie, and the Pastoral District of the Wimmera and of the Loddon, except the proposed County of Rodney.

TALBOT:—Bounded on the North-west and North by the South-western Branch of the Loddon River from its Source near Mount Cole to its Confluence with the main Stream; thence by the Loddon River upwards to the Confluence of Mount Alexander Creek, by this Creek to its Source under Mount Alexander, thence by Mount Alexander Range to the Head of Myrtle Creek, and by this Creek to its Confluence with the Coliban River; on the East by the Coliban River upwards to its Source, being Part of the Western Boundary of the County

of

of Dalhousie; and on the South by the great dividing Range to the Source of the South-western Branch of the Loddon River near Mount Cole.

Number of
Members of
the Legisla-
tive Council
assigned to
and to be re-
turned for
each Electoral
Province.

DALHOUSIE:—Bounded on the West by the River Coliban from its Source in the great dividing Range to its Confluence with the Campaspe River, and by the Campaspe River down to the Confluence of Mount Ida Creek; on the North by Mount Ida Creek to its Source near Mount Ida, by the dividing Range to the Source of Sandy Creek, and by the Sandy Creek to Goulbourn River; on the East by the Goulbourn River upwards until it joins the Dabyminga Creek, and by that Creek to its Source in the dividing Range; and on the South by the great dividing Range.

WIMMERA:—Bounded on the East by a Line from Mount Cole to the Source of the Avoca River, thence by the Avoca River to Lake Bael Bael, thence by a Line due North to the River Murray; on the North by the River Murray to the South Australian Frontier; on the West by the South Australian Frontier South to Mosquito Creek; on the South by Mosquito Creek to its Head, thence by a Line to the Source of Power's Creek, by Power's Creek to its Junction with the Glenelg River, by this River to its Source between the Victoria Range and the Grampians near Mount William, and by the dividing Range easterly to Mount Cole.

LONDON:—Bounded on the South by Part of the Counties of Dalhousie, Talbot, and Ripon, from the Campaspe River to the Source of the Avoca River; on the West by the Avoca River to Lake Bael Bael, and thence by a Line due North to the River Murray; on the North and North-east by the River Murray; and on the East by the Campaspe River to the Point of Commencement - - - - -

Five

6. EASTERN PROVINCE.

Including the County of Anglesey, the proposed County of Rodney, and the Pastoral Districts of the Murray and Gipps' Land.

ANGLESEY:—Bounded on the West by Part of the Eastern Boundary of the County of Dalhousie, namely, from the River Goulbourn upwards from the Confluence of Hughes' Creek, to the Confluence of the Dabyminga Creek, thence by the Dabyminga Creek upwards to its Source in the great dividing Range; on the South by the great dividing Range to the main Source of the River Goulbourn; on the East by the Range dividing the Waters of the main Source of the River Goulbourn and Big Rivers from those of the Rubicon and Snod-pon-dock Creek, Northward to Mount Torbrick, thence by Jerusalem Creek to its Confluence with the River Goulbourn, thence by the River Goulbourn downwards to the Confluence with the Devil's River, thence by the Devil's River, and its North-west Arm to the dividing Range between the last-named Arm and Septimus Creek; and on the North by

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that

that Range to the Source of Hughes' Creek, thence by Hughes' Creek down to its Confluence with the River Goulbourn.

RODNEY :—Commencing at the Confluence of the Rivers Campaspe and Coliban, thence by a Line south-easterly to the M'Ivor or Patterson's Creek, above John Hunter Patterson's Sheep Station, thence by a Line north-easterly to the Confluence of Hughes' Creek with the River Goulbourn, and by that River to the Murray, thence by the River Murray to its Confluence with the River Campaspe, and by the River Campaspe upwards to the Confluence of the Rivers Campaspe and Coliban aforesaid.

Number of
Members of
the Legisla-
tive Council
assigned to
and to be re-
turned for
each Electoral
Province.

MURRAY :—Bounded on the South and West by the Counties of Evelyn and Anglesey, and the River Goulbourn to its Junction with the Murray; on the North and North-east by the River Murray, and on the South-east by the dividing Range (Alps).

GIPPS' LAND :—Bounded on the South and East by the Sea; on the North by a Line running in a westerly Direction from Cape Howe to the Source of the nearest Tributary of the Murray and the Australian Alps; again, on the West by the Alps and the Counties of Evelyn and Mornington - - - Five

SCHEDULE F.

LEGISLATIVE ASSEMBLY.

BOUNDARIES OF THE ELECTORAL DISTRICTS.

1. ELECTORAL DISTRICT OF MELBOURNE.

Commencing at a Point in the Yarra Yarra River due South from the South-western Angle of Gisborne Street, thence to Gisborne Street, and by the Western Side of that Street to Victoria Parade, thence by the South Side of Victoria Parade to the Western Side of Nicholson Street, thence by the said Western Side of Nicholson Street Northwards to the Boundary Line of the Corporate Limits of Melbourne, thence by the last-mentioned Boundary Line bearing West to the Moonee Ponds, by the said Moonee Ponds downwards to the Site of Main's Bridge, thence by a Line bearing South to the Yarra Yarra River, and on the South by the Yarra Yarra River to the commencing Point - - - Five

2. ELECTORAL DISTRICT OF SAINT KILDA.

Bounded on the East by a Road bearing North from the South-east Angle of Portion No. 32, East of Elsternwick, to the Yarra Yarra River; on the North by the Yarra Yarra River to Prince's Bridge; on the West by a Road bearing South-west to the Northern Angle of Section No. 46; thence by Fitz Roy Street, St. Kilda, to the Sea Coast; thence by the Sea Coast and a Road bearing East, South of Elsternwick, to the commencing Point - - - Two

3. ELECTORAL

3. ELECTORAL DISTRICT OF COLLINGWOOD.

Commencing at the Junction of Nicholson Street and Victoria Parade, thence by the Western Side of Nicholson Street to the Northern Boundary of the Corporate Limits of Melbourne, thence on the North by the said Boundary Line bearing East to the Merri Merri Creek, thence by the Merri Merri Creek to its Junction with the Yarra Yarra River, thence by the Yarra Yarra River to the South-east Corner of Section No. 63, Parish of Jika Jika, thence by a Line West to Victoria Street, and thence on the South by the Northern Side of Victoria Street and Victoria Parade to the commencing Point

Number of
Members of
the Legisla-
tive Assembly
assigned to
and returned
for each Elec-
toral District.

Two

4. ELECTORAL DISTRICT OF SOUTH MELBOURNE.

Bounded on the North by the Yarra Yarra River, from its Junction with the Saltwater River to Princes' Bridge, on the East by the Road bearing South-east to the Northern Angle of Section No. 46, St. Kilda, thence by Fitz Roy Street to the Sea Coast, thence by the Sea Coast to the Yarra Yarra River, and by the said River to its Junction with the Saltwater River, being the commencing Point

One

5. ELECTORAL DISTRICT OF RICHMOND.

Commencing at a Point on the Yarra Yarra River due South from the South-eastern Angle of Gisborne Street; bounded on the West by a Line due North to the said Angle; thence by the East Side of Gisborne Street to Victoria Parade; thence by the Southern Sides of Victoria Parade and Victoria Street, and a Prolongation of that Line to the Yarra Yarra River; on the East and South by the Yarra Yarra River to the commencing Point

Two

6. ELECTORAL DISTRICT OF WILLIAMSTOWN.

Commencing on the Sea Coast at the South-east Angle of Portion A. Section 3, Parish of Cut-paw-paw; bounded on the West by a Line bearing North to the Stoney Creek, thence by the Stoney Creek to the River Yarra Yarra; by the River Yarra Yarra to the Sea; thence by the Sea Coast to the commencing Point

One

7. ELECTORAL DISTRICT OF BRIGHTON.

Commencing on the Sea Coast at the South-west Angle of Section 25, Parish of Moorabbin, thence by a Line East to the South-east Angle of Section 55; on the East by a Line bearing North, being the Parish Boundary from the said Point to the North-east Angle of Section 63; on the North by the Road bearing West to the Sea Coast, and on the West by the Sea Coast to the commencing Point

One

8. ELECTORAL DISTRICT OF GEELONG.

Bounded by a Line drawn from the Point on the Eastern Shores of Corio Bay, near Point Henry, at a Distance of Two Miles
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from

from the North-east Angle of the Township of Geelong, as a Centre bearing southerly to a Point bearing East from the said Angle; thence by a Line South, crossing a small Portion of Corio Bay, parallel with and at a Distance of Two Miles from the Eastern Boundary of the said Township to a Point bearing East from the South-east Angle of the said Township of Geelong; thence by a Line drawn westerly, at a Distance of Two Miles from the Southern Boundary of the said Township, crossing the Barwon River and the Wauru Chain of Ponds to a Point Two Miles West of the South-west Angle of the said Township; thence by a Line drawn at a Distance of Two Miles from the North-west Angle of the Township, as a Centre, to the Western Shore of Corio Bay, near Cowie's Creek; and also to include the remaining Portion of the Reserve at Point Henry, and the Reserve at the Junction of the Marrabool with the River Barwon

Number of
Members of
the Legisla-
tive Assembly
assigned to
and returned
for each Elec-
toral District.

Four

9. ELECTORAL DISTRICT OF PORTLAND.

Commencing at a Point on the Beach bearing East Eight Chains from the North Angle of Allotment No. 31 of Northern Suburbans, and bounded on the North by a Line bearing West 65 Chains; on the West by a Line bearing South 233 Chains 34 Links; on the South by a Line bearing East to the Sea Coast, and by the Sea Coast northerly to the Point of Commencement

Two

10. ELECTORAL DISTRICT OF BELFAST.

Commencing at a Point on the Sea Coast bearing South 7 Degrees 30 Minutes West, 16 Chains 25 Links from the South-west Angle of Section No. 15, Township of Belfast, and bounded on the West by a Line bearing North 62 Chains; on the North by a Line bearing East 45 Chains 25 Links; again on the West by a Line bearing North 3 Chains 75 Links to the River Moyne, by that River to its Mouth, and by the Sea Coast to the Point of Commencement; also that Portion commencing at the South-west Angle of Section A, Parish of Belfast, and bounded on the North-east by a Line bearing North-west 15 Chains to the Moyne Saltwater Lagoon, by that Lagoon and the River Moyne to its Mouth, and by the Sea Coast northerly to the last-mentioned Point of Commencement

One

11. ELECTORAL DISTRICT OF WARRNAMBOOL.

Commencing at a Point on the River Hopkins, being the South-western Angle of Section 1, Parish of Wangoom, and bounded on the East by a Line bearing North 20 Chains; on the North by a Line bearing West to the Merri River; on the West and South-west by the Merri River to its Mouth; on the South by the Sea Coast of Warrnambool Bay, from the Mouth of the said River to that of the River Hopkins, and thence to the Point of Commencement

One

12. ELECTORAL

12. ELECTORAL DISTRICT OF COLAC.

Commencing at the South-west Angle of Section 17, in the Parish of Nalangil, bounded on the West by a Line North to the North-west Angle of Section 17, in the Parish of Warrion; on the North by a Line East from the last-mentioned Point to the North-east Angle of Section 9, in the Parish of Irrewarra; on the East by a Line, South from that Point to the South-east Angle of Section 2, in the Parish of Elliminyt; and on the South by a Line West from that Angle to the Point of Commencement -

Number of
Members of
the Legisla-
tive Assembly
assigned to
and returned
for each Elec-
toral District.

One

13. ELECTORAL DISTRICT OF KILMORE.

Commencing at a Point on the Eastern Branch of the Korkarruc Creek, Two Miles 55 Chains South of its Junction with the main Stream, and bounded on the North by a Line East from the said Point to Dry Creek; on the East by the Western Branch of the Dry Creek to its Source, thence by a Line South to the Boundary of the County of Bourke; on the South by the said Boundary to the Source of the Eastern Branch of the afore-said Korkarruc Creek, and on the West by that Eastern Branch to the commencing Point - - - - -

One

14. ELECTORAL DISTRICT OF THE KYNETON BOROUGHES.

KYNETON, CARLSRUHE, AND PART OF MALMESBURY:—Commencing at the South-east Angle of Section B 3, East of Carlsruhe, thence North 3 Miles 40 Chains, thence West 4 Miles, thence North 3 Miles, thence West 4 Miles, thence North 2 Miles, thence West 2 Miles 55 Chains to the River Coliban; by that River to the Southern Boundary of the Parish of Lauriston; by that Boundary to the River Campaspe, and thence to the South-western Angle of Section 2; and by the Southern Boundary of the Parish of Carlsruhe to the Point of Commencement.

WOODEND:—Commencing at the South-western Angle of Section 1 A, South of Carlsruhe, bounded on the North by the Southern Boundary of the said Section and of Sections B 2, B 3, to the South-eastern Angle of the said Section B 3, East of Carlsruhe; on the East by a Line South of the Northern Boundary of Section 72, Parish of Woodend; thence East to the North-east Angle of the said Section 72; thence on the East by a Road South to the South-eastern Angle of Section 22, Parish of Woodend; thence South 80 Chains, crossing the Five Mile Creek; thence West 80 Chains; thence North to the Five Mile Creek; and on the South-west and West by the Five Mile Creek and River Campaspe to the commencing Point - - - - -

One

15. ELECTORAL DISTRICT OF THE MURRAY BOROUGHES.

WOODONGA:—Commencing at a Point on the Woodonga Creek, being the North-east Angle of Suburban Section A.; thence on the East by a Line bearing South 15 Chains 50 Links; thence West by a Line 40 Chains; thence South 21 Chains 20 Links;

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thence

thence West 117 Chains 30 Links; thence North 60 Chains; thence East 70 Chains to the Woodonga Creek, and by the Left Bank of the said Creek to the commencing Point.

Number of
Members of
the Legisla-
tive Assembly
assigned to
and returned
for each Elec-
toral District.

WANGARATTA:—Commencing at a Point on the Left Bank of the River Ovens, 120 Chains North-west of its Junction with the River King; from that Point South 360 Chains; thence East 440 Chains; thence North 360 Chains, crossing Reedy Creek; and thence West 440 Chains, again crossing Reedy Creek and the River Ovens, to the commencing Point.

BENALLA:—Commencing at a Point on the North-east Tributary of the Broken River, being the South-east Angle of Suburban Allotment 4, Section 8; thence by a Line North to the North-east Angle of Suburban Allotment 5, Section 4; thence West to the North-west Angle of Suburban Allotment 1, Section 1; thence South-west by a Line Fifty Chains to the North-west Angle of Suburban Allotment 1, Section 16; thence South to the South-west Angle of Suburban Allotment 5, Section 12; thence East to the South-east Angle of Suburban Allotment 4, Section 9; thence by the Broken River and its Tributary aforesaid to the commencing Point.

EUROA:—Commencing 5 Chains South of a Point on the Seven Creeks, being the South-east Angle of Suburban Section 6; thence by a Line West 190 Chains; thence North 274 Chains 50 Links to the North-west Angle of Suburban Section A 3; thence by the Northern Boundary of the said Section to the Seven Creeks; thence by the said Seven Creeks to the North-west Angle of Suburban Section B 2; thence East to the North-east Angle of Suburban Section E 1; thence by a Line South until it strikes the Northern Boundary of Suburban Section C 1, where the said Boundary crosses the Seven Creeks; thence East to the North-east Angle of the said Section; thence by the Eastern Boundaries of Suburban Sections C and D and the Seven Creeks to the commencing Point.

AVENAL:—Commencing at a Point on Hughes' Creek, being the South-east Angle of Suburban Portion E 6; thence West 118 Chains; thence North 155 Chains 40 Links, crossing Hughes' Creek; thence East 134 Chains 60 Links; thence South 134 Chains 40 Links; thence West to Hughes' Creek, and by the said Creek to the commencing Point.

SEYMOUR:—Commencing at a Point on Whitehead's Creek, being on the North-eastern Boundary of the Township of Seymour, thence East 200 Chains, thence South 160 Chains, thence East 120 Chains, thence South 200 Chains; thence East 130 Chains to a Point on the River Goulburn, by the Course of the said River to another Point 80 Chains Eastward of the first-mentioned Point on the said River; thence North 344 Chains, crossing Whitehead's Creek; thence West 130 Chains, recrossing Whitehead's Creek to the commencing Point - - - One

16. ELECTORAL DISTRICT OF ALBERTON.

Commencing at the Mouth of Worrigall Creek on the Ninety Mile Beach:—Bounded on the North by a Line West Seventeen Miles to the Eastern Branch of the River Tarra; thence on the South-west by a Line in a South-westerly Direction to the Mouth of the Little River in Corner Inlet; and on the South and South-east by the Sea Coast (including Snake Island) to the commencing Point. Number of Members of the Legislative Assembly assigned to and returned for each Electoral District. One.

17. ELECTORAL DISTRICT OF THE CASTLEMAINE BOROUGHES.

CASTLEMAINE:—Commencing at a Point One Chain Fifty Links North from the North-west Angle of Section 39, Township of Castlemaine: Bounded by Lines bearing East 38 Chains; South 160 Chains; West 80 Chains; North 160 Chains; and East 42 Chains to the commencing Point.

ELPHINSTONE:—Commencing at the South-western Corner of Portion 3, Section 1, North of Elphinstone: Bounded on the West by a Line South 80 Chains; on the South by a Line East 80 Chains; on the East by a Line North 80 Chains to the South-western Angle of Portion 18, Section 1; and on the North by a Line West, crossing the Main Road to Sandhurst to the commencing Point.

MUCKLEFORD:—Commencing at the South-eastern Angle of Allotment 50, Section 7; thence North 200 Chains, thence West 200 Chains, thence South 240 Chains, thence East 200 Chains, thence North to the commencing Point.

HARCOURT:—Commencing at the South-western Angle of Portion 27, Section 4; bounded on the East by a Line North to the North-western Angle of Portion 27, Section 3; on the North by a Line West to the main Road to Sandhurst; on the West by a Line South crossing Barker's Creek 160 Chains; and on the South by a Line East 80 Chains to the commencing Point. Two.

18. ELECTORAL DISTRICT OF THE SANDHURST BOROUGHES.

SANDHURST:—Commencing at a Point on the Bendigo Creek 40 Chains South of the Junction of Ash Street and High Street; thence East One Mile and a Half, thence West Two and a Half Miles, crossing the Bendigo Creek, thence South Four Miles, thence East to the Point of Commencement.

LOCKWOOD:—Commencing at the South-western Angle of Suburban Allotment 23, Section 1; bounded on the East by a Line Northward from that Point to the South-eastern Angle of Portion 44, Section 4; on the North by a Line bearing West to the South-western Angle of Allotment No. 1, Section 4; on the West by a Line bearing South to a Point due West from the commencing Point; and on the South by a Line East to the South-west Angle of Suburban Allotment No. 23, Section 1, being the commencing Point aforesaid. One.

19. ELECTORAL DISTRICT OF NORTH GRANT.

Bounded on the North by the great dividing Range, extending from the Source of the Yarrowee River to that of the River Werribee on the East by the River Werribee aforesaid to the Western Boundary of the Village Reserve of Ballan; thence by a Line South-westerly to the Source of Williamson's Creek, and by that Creek and the said River Yarrowee to its Source in the great dividing Range aforesaid - - - - One.

20. ELECTORAL DISTRICT OF NORTH GRENVILLE.

Bounded on the North by Part of the great dividing Range, from the Source of the River Yarrowee to the Source of the Burrumbeet Creek, thence by that Creek and the Southern Shores of Burrumbeet Lake to the Point where Bailie's Creek leaves the Lake, by Bailie's Creek to its Confluence with Emu Creek, thence by Emu Creek down to the Point North of the Source of Gnarkeet Ponds; on the West by a Line Southwards from the last-mentioned Point, and by the Gnarkeet Ponds to where they are crossed by the main Road to Geelong; on the South by that Road to the River Yarrowee; and on the East by the River Yarrowee to its Source - - - - One.

21. ELECTORAL DISTRICT OF THE OVENS.

Commencing at the Junction of Whorouly Creek with the River Ovens, bounded on the West by a Line bearing North Twenty Miles, thence on the North by a Line bearing East to the Little River, on the East by the Little River to its Source in the dividing Range, thence by the dividing Range and a Line South to a Point on the Ovens River Nine Miles above its Junction with the River Buckland; on the South by a Line from the last-mentioned Point to the Source of the River Buckland, thence by the dividing Range to the Source of the River Buffalo, and again on the South and West by that River and the Ovens to the commencing Point - - - - One.

22. ELECTORAL DISTRICT OF RODNEY.

Commencing at the Confluence of the Rivers Campaspe and Coliban, thence by a Line South-westerly to the Source of the M'Ivor or Patterson's Creek; thence by a Line North-easterly to the Confluence of Hughes' Creek with the River Goulbourn, and by the Rivers Goulbourn, Murray, and Campaspe to the Confluence of the Rivers Campaspe and Coliban aforesaid - - - - One.

23. ELECTORAL DISTRICT OF THE LODDON.

Bounded on the West by the River Avoca, from its Source in the great dividing Range to its Entrance to Lake Bael Bael, thence by a Line Northward to the River Murray; on the North by

the

the River Murray; on the East by the River Campaspe to its Junction with the Coliban, and on the South by the Northern Boundary of the Counties of Dalhousie and Talbot to the commencing Point, excepting the Country comprised in the Electoral Districts of the Castlemaine Boroughs and of the Sandhurst Boroughs - - - - - Two.

24. ELECTORAL DISTRICT OF TALBOT.

Bounded on the North-west and North by the South-western Branch of the River Loddon, from its Source near Mount Cole to its Confluence with the main Stream, thence by the River Loddon upwards to its Confluence with Mount Alexander Creek, by this Creek to its Source under Mount Alexander, thence by the Mount Alexander Range to the Head of Myrtle Creek, and by this Creek to its Confluence with the River Coliban; on the East by the River Coliban to its Source, being Part of the Western Boundary of the County of Dalhousie; on the South by the great dividing Range to the Source of the South-western Branch of the River Loddon, near Mount Cole, excepting the Country included in the Electoral District of the Castlemaine Boroughs - - - - - Two.

25. ELECTORAL DISTRICT OF EAST BOURKE.

Bounded on the North by the great dividing Range from the Source of the River Plenty to that of the North-eastern Branch of the Saltwater River, near Big Hill; on the West by the Saltwater River downwards to the South-western Angle of Section 12, Parish of Bulla Bulla, thence by the Southern Boundary of the said Portion and by a Line bearing East to the Source of the Moonee Ponds in Section 10, Parish of Yuroke, thence by the Moonee Ponds southerly to Flemington Bridge, thence by a Line South to the River Yarra Yarra; on the South by the River Yarra Yarra to its Junction with the Plenty, and on the East by the River Plenty to the Point of Commencement, excepting the Country included in the Electoral Districts of Melbourne, Collingwood, and Richmond - - - - - Two.

26. ELECTORAL DISTRICT OF WEST BOURKE.

Bounded on the North by the great dividing Range from the Source of the River Werribee to that of the North-eastern Branch of the Saltwater River, near Big Hill; on the East by the Saltwater River to the South-western Corner of Portion 12, Parish of Bulla Bulla, thence by the Southern Boundary of the said Section and by a Line East to the Source of the Moonee Ponds, in Section 10, Parish of Yuroke, thence by the Moonee Ponds southerly to Flemington Bridge, thence by a Line South to the River Yarra Yarra; on the South by the River Yarra Yarra and the Shores of Port Phillip Bay to the Mouth of the River Werribee; on the West by the River Werribee to its Source in the great dividing Range, being the commencing Point, excepting the Country included in the Electoral Districts of Williamstown - - - - - Two.

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27. ELECTORAL

27. ELECTORAL DISTRICT OF SOUTH BOURKE.

Bounded on the North and West by the River Yarra Yarra, from its Mouth to its Confluence with the Deep Creek; on the East by the Deep Creek and a Line South Two Miles Fifty-eight Chains from that Creek to Dandenong Creek, by that Creek to the Northern Margin of the Carrum Swamp and Mordialloc Creek to its Mouth at the Long Beach below Ben-Ben-Gin, thence by the Shores of Port Phillip Bay to the Mouth of the River Yarra Yarra aforesaid, excepting the Country included in the Electoral Districts of St. Kilda, South Melbourne, and Brighton. Number of Members of the Legislative Assembly assigned to and returned for each Electoral District. Two.

28. ELECTORAL DISTRICT OF SOUTH GRANT.

Bounded on the East by the River Werribee, from its Mouth in Port Phillip Bay to the Western Boundary of the Reserve of Ballan, thence by a Line South-westerly to the Source of Williamson's Creek, by that Creek to the River Yarrowee; on the West and South-west by the River Yarrowee to its Confluence with the River Barwon, thence by the River Barwon to Hopkins' Creek; by that Creek and a Line South-east across the dividing Range to the Head of the Salt Creek Two Miles and Forty-eight Chains, thence by Salt Creek to the Sea Coast, North of Point Roadknight; on the South by the Sea Coast; and on the Remainder of the East by the Waters of Port Phillip Bay to the Mouth of the River Werribee, including the small Island near the Channels of the Mouth of Port Phillip Bay and Geelong Bay, and excepting the Country included in the Electoral District of Geelong. Three.

29. ELECTORAL DISTRICT OF EVELYN AND MORNINGTON.

EVELYN:—Bounded on the West by Part of the Eastern Boundary of the County of Bourke; that is to say, by the River Plenty from its Source to the River Yarra Yarra, thence by the River Yarra Yarra to the Confluence of the Deep Creek, thence by that Creek to the Range between the River Yarra Yarra and the Dandenong Creek; on the South-east and North by the Range forming the Basin of the River Yarra Yarra.

MORNINGTON:—Bounded on the North by Part of the Southern Boundary of the County of Evelyn, being the dividing Range from the Source of the River Buneep Buneep to the Source of the Deep Creek, thence by that Creek and a Line South Two Miles Fifty-eight Chains from that Creek to Dandenong Creek, thence by that Creek to the Carrum Swamp, by that Swamp and the Mordialloc Creek to its Mouth at the Long Beach below Ben-Ben-Gin, thence by the Shores of Port Phillip Bay to Point Nepean; on the South-west and South by the Sea Coast from Point Nepean to Cape Patterson; on the East by a Line North from Cape Patterson to the Warringrin Range, thence along the said Range in a northerly Direction to the Mouth of the River Buneep Buneep, and by that River to its Source in the dividing Range, including French and Phillip Islands and the small Islands in Western Port Bay. One.

30. ELECTORAL

30. ELECTORAL DISTRICT OF ANGLESEY.

PART OF DALHOUSIE:—Commencing at the Junction of the Rivers Camaspe and Coliban, thence by a Line South-easterly to the Source of the M'Ivor or Paterson's Creek, thence by a Line North-east to the Confluence of Hughes's Creek with the River Goulburn; on the East by the River Goulburn until it joins the Dabyminga Creek, by that Creek to its Source in the dividing Range; on the South by the dividing Range to the Source of the River Coliban; and on the West by the last-mentioned River to its Junction with the River Campaspe, being the commencing Point, excepting the Country included in the Electoral Districts of the Kyneton Boroughs and of Kilmore.

Number of
Members of
the Legisla-
tive Assembly
assigned to
and returned
for each Elec-
toral District.

ANGLESEY:—Bounded on the West by Part of the Eastern Boundary of the County of Dalhousie, namely, from the River Goulburn from the Confluence of Hughes's Creek to the Confluence of Dabyminga Creek, thence by Dabyminga Creek to its Source in the great dividing Range; on the South by the great dividing Range to the main Source of the River Goulburn; on the East by the Range dividing the Waters of the main Source of the Goulburn and Big Rivers from those of the Rubicon and Snodpound Creek, Northward, to Mount Torbrick, thence by Jerusalem Creek to its Confluence with the River Goulburn, thence by the River Goulburn to the Confluence of the River Delatite, thence by the River Delatite and its North-west Arm to the dividing Range between the last-named Arm and Septimus Creek; and on the North by that Range to the Source of Hughes's Creek, and thence by Hughes's Creek to its Confluence with the River Goulburn, excepting the Country included in the Borough of Seymour. One.

31. ELECTORAL DISTRICT OF DUNDAS AND FOLLETT.

DUNDAS:—Bounded on the West and North by the River Glenelg from the Confluence of the Wannon to its Source, between the Victoria Range and the Grampians near Mount William; on the East by the Grampians to their Base near Mount Abrupt, thence to Mount Sturgeon and by a Line crossing the Wannon River to the North-east Angle of the County of Normanby at the Grange Burn; and on the South by the Grange Burn and the Wannon to its Confluence with the Glenelg.

FOLLETT:—Bounded on the West by the One hundred and Forty-first Meridian, being the Line dividing Victoria from South Australia; on the South and East by the Glenelg River to its Confluence with Power's Creek; and on the North-east and North by Power's Creek to its Source, thence by a Line West to the Head of Mosquito Creek and by that Creek to the Boundary Line. One.

32. ELECTORAL DISTRICT OF NORMANBY.

Bounded on the North by the Grange Burn and River Wannon until the latter joins the River Glenelg; on the West by the

River Glenelg to the Sea ; on the South by the Sea Shore to the Mouth of the River Shaw ; and on the East by the Western Branch of the River Shaw to its Source ; thence by a Line North to the Source of the Swamp Creek ; by that Creek to Mount Napier Swamp ; and thence by a Line North Six Miles Fifteen Chains to the Grange Burn, including the Laurence's and Lady Julia Percy's Islands, excepting the Country included in the Electoral District of Portland - - - - One.

33. ELECTORAL DISTRICT OF VILLIERS AND HEYTESBURY.

VILLIERS :—Bounded on the West by a Line South from the Grange Burn to the Mouth of the Swamp Creek ; thence by this Creek to its Source by a Line to the Source of the Western Branch of the River Shaw to the Sea ; on the South by the Sea Shore to the Mouth of the River Hopkins ; on the East by the said River Hopkins to the Confluence of Wyselaskie's Creek, and by that Creek to its Source ; on the North by a Line Westward from the Source of the last-named Creek to the Base of the Grampians near Mount Abrupt ; thence by the principal Range of the Grampians to Mount Sturgeon, and by a Line South-westerly to the North-east Angle of the County of Normanby, including all the Islands at Port Fairy, and excepting the Country included in the Electoral Districts of Belfast and Warrnambool.

HEYTESBURY :—Bounded on the West by the River Hopkins from its Estuary to the Confluence of the Emu Creek, thence by Emu Creek to the Point nearest Lake Pormbeet, thence by a Line easterly to the North End of Lake Pormbeet, thence by a Line East to Lake Korangamite, and by the Southern Shore of that Lake to the Mouth of the Pirron Yaloak Creek ; on the East and South-east by the Pirron Yaloak Creek to its Source, thence by a Range to the Source of the Gellibrand River, by the Gellibrand River to the Sea Coast ; and on the South-west and West by the Sea Coast to the Estuary of the River Hopkins - Two.

34. ELECTORAL DISTRICT OF POLWARTH, RIPON, HAMPDEN, AND SOUTH GRENVILLE.

POLWARTH :—Bounded on the West by the River Gellibrand upwards to its Source, thence by the Range to the Source of the Pirron Yaloak Creek, by this Creek to Lake Korangamite ; on the North by the South-eastern Shore of Lake Korangamite, and an East Line from Lake Korangamite to the North of Lake Colac, thence by the North Shore of Lake Colac to the Point West from the Source of Birregurra Creek, from that Point by a Line East to the Source of the Birregurra Creek, thence by the Birregurra Creek to its Confluence with the River Barwon, thence following the Course of the River Barwon to Hopkins' Creek ; on the North-east by this Creek and a Line across the dividing Range to the Source of the Salt Creek South-east Two Miles Forty-eight Chains, thence by the Salt Creek to the Sea

Coats

Coast North of Point Roadknight ; and on the South-east and South by the Sea Coast to the Mouth of the River Gellibrand, excepting the Country included in the Electoral District of Colac.

Number of
Members of
the Legisla-
tive Assembly
assigned to
and returned
for each Elec-
toral District.

RIPON :—Bounded on the West by the Grampian Range dividing the Waters of the Rivers Wimmera and Glenelg from those of the River Hopkins, to its Base near Mount Abrupt ; on the South by a Line easterly to the Source of Wyselaskie's Creek, and by that Creek to the River Hopkins, thence by a Line East to Lake Boloke, thence by the Southern Shores of Lake Boloke to the Mouth of the Prackmingerrin Creek, and by that Creek to the Point nearest to Emu Creek, thence by a Line East to a Point in Emu Creek One Mile to the West of its Confluence with Broken Creek ; on the South-east and East by Emu Creek to its Confluence with Baillie's Creek, by Baillie's Creek to Lake Burrumbeet, by the Southern Shores of Lake Burrumbeet and Burrumbeet Creek to its Source in the great dividing Range ; and on the North by the great dividing Range to the Western Boundary aforesaid.

HAMPDEN :—Bounded on the West by the River Hopkins ; on the North by the Southern Boundary of the County of Ripon ; on the East by a Line southerly to the Source of Gnarkeet Ponds, thence by Gnarkeet Ponds to Lake Korangamite, and thence by the West Shore of Lake Korangamite to a Point East of Lake Pormbeet, and from the North End of Lake Pormbeet to the nearest Part of Emu Creek, and thence by Emu Creek to its Confluence with the River Hopkins.

SOUTH GRENVILLE :—Bounded on the North by the main Road between Portland and Geelong, from its Intersection with the River Yarrowee to the Gnarkeet Ponds ; on the West by the Gnarkeet Ponds to Lake Korangamite, thence by the Western Shores of that Lake to a Point East of Pormbeet ; on the South by the Southern Shore of Lake Korangamite, thence by a Line East from Lake Korangamite to the North Shore of Lake Colac, thence by the North Shore of Lake Colac to a Point West from the Birregurra Creek, and from that Point by a Line East to the Source of the Birregurra Creek, and by that Creek to its Confluence with the Barwon ; and on the East by the Rivers Barwon and Yarrowee to the commencing Point - - Two.

35. ELECTORAL DISTRICT OF MURRAY.

Bounded on the South and West by the Counties of Evelyn and Anglesea and the River Goulburn to its Junction with the River Murray ; on the North and North-east by the River Murray ; and on the East by the great dividing Range, excepting the Country comprised in the Electoral Districts of the Murray Boroughs and of Beechworth - - - Two.

36. ELECTORAL DISTRICT OF GIPPS' LAND.

Bounded on the South and East by the Sea; on the North by a Line bearing West from Cape Howe to the Source of the nearest Tributary of the Murray, and by the Alps; and on the West by the Alps and the Counties of Evelyn and Mornington, excepting the Country comprised in the Electoral District of Alberton - One.

37. ELECTORAL DISTRICT OF THE WIMMERA.

Bounded on the West by the Boundary Line of Victoria and South Australia; on the North by the River Murray; on the East by a Line to Lake Bael Bael, thence by the River Avoca to its Source; and on the South by the Boundaries of the Counties of Follett, Dundas, and Ripon - Two.

SCHEDULE (2.)

- 59 G. 3. c. 114. - An Act to stay Proceedings against any Governor or other Persons concerned in imposing and levying Duties in New South Wales; to continue until the 1st Day of January 1821 certain Duties, and to empower the said Governor to levy a Duty on Spirits made in the said Colony.
- 3 G. 4. c. 96. - An Act to continue until the 1st Day of January 1824 an Act passed in the Fifty-ninth Year of His late Majesty relating to imposing and levying Duties in New South Wales; to authorize the imposing and levying other Duties on Goods imported into the said Colony, and to suspend for Ten Years the Payment of Duty on the Importation of certain Goods the Produce of New South Wales.
- 9 G. 4. c. 83. - An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof, and for other Purposes relating thereto.
- 5 & 6 Vict. c. 36. - An Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies.
- 5 & 6 Vict. c. 76. - An Act for the Government of New South Wales and Van Diemen's Land.
- 7 & 8 Vict. c. 72. - An Act to clear up Doubts as to the Regulation and Audit of the Accounts of the Customs in New South Wales.
- 7 & 8 Vict. c. 74. - An Act to explain and amend the Act for the Government of New South Wales and Van Diemen's Land.

- 9 & 10 Vict. c. 104. - An Act to amend an Act for regulating the Sale of Waste Land belonging to the Crown in the Australian Colonies, and to make further Provision for the Management thereof.
- 13 & 14 Vict. c. 59. An Act for the better Government of Her Majesty's Australian Colonies.

Victoria Government.

A

BILL

To enable Her Majesty to assent to a Bill, as amended, of the Legislature of Victoria, to establish a Constitution in and for the Colony of Victoria.

(Prepared and brought in by
Lord John Russell and Mr. John Ball.)

Ordered, by The House of Commons, to be Printed,
10 May 1854.

[Bill 115.]
Under 6 oz.

Waste Lands (Australia) Acts Repeal Bill.

ARRANGEMENT OF CLAUSES.

1. 5 & 6 Vict. c. 36. and 9 & 10 Vict. c. 104. repealed.
 2. Period at which this Act is to take effect in the Australian Colonies respectively.
 3. Powers of the repealed Acts continued for certain Purposes in this Country.
 4. Power to amend or repeal Orders in Council.
 5. Power to the Legislature of Van Diemen's Land, and of South Australia when its Constitution is altered, to dispose of Waste Land.
 6. Existing Regulations maintained in force until altered.
 7. Power to regulate the Disposal of Waste Land in Western Australia.
 8. Past Appropriations to be valid.
 9. Interpretation.
-

17 May 1855. 18 VICT.



A

B I L L

TO

Repeal the Acts of Parliament now in force respecting the Disposal of the Waste Lands of the Crown in Her Majesty's Australian Colonies, and to make other Provision in lieu thereof.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS it is expedient that the Acts for regulating the Preamble.
Sale and other Disposal of the Waste Lands belonging to
the Crown in the Australian Colonies should be repealed,
and that other Provision should be made with respect to the Subject
5 Matter of the said Acts: Be it therefore enacted by the Queen's
most Excellent Majesty, by and with the Advice and Consent of the
Lords Spiritual and Temporal, and Commons, in this present Parlia-
ment assembled, and by the Authority of the same, as follows:

- I. The Act of the Sixth Year of Her Majesty, Chapter Thirty-six, 5 & 6 Vict.
10 intituled "An Act for regulating the Sale of Waste Land belonging c. 36. and
" to the Crown in the Australian Colonies," and the Act of the 9 & 10 Vict.
Tenth Year of Her Majesty, Chapter One hundred and four, intituled c. 104.
"An Act to amend an Act for regulating the Sale of Waste Land repealed.
" belonging to the Crown in the Australian Colonies, and to make
15 " further Provision for the Management thereof," are hereby repealed.
[Bill 135.] A II. The

Periods at which this Act is to take effect in the Australian Colonies respectively.

II. The Repeal of the said Acts, and the other Provisions of this Act, shall take effect in the Colonies of New South Wales and Victoria at the Date of the Proclamation in those Colonies respectively of certain Acts passed in this Session of Parliament, intituled "An Act to enable Her Majesty to assent to a Bill, as amended, of 5
" the Legislature of New South Wales, "to confer a Constitution on
" New South Wales, and to grant a Civil List to Her Majesty,"
and "An Act to enable Her Majesty to assent to a Bill, as amended,
" of the Legislature of Victoria, to establish a Constitution in and
" for the Colony of Victoria," and in Van Diemen's Land from the 10
Date of the Proclamation of this Act by the Governor, which Proclamation shall take place within *One Month* after a Copy thereof shall be received by such Governor, and in South Australia from the Date of the Proclamation in that Colony of the Assent of Her Majesty to any Bill which may be passed by the Legislature of the 15
said Colony, under the Provisions of an Act passed in the Fourteenth Year of Her Majesty, and intituled "An Act for the better
" Government of Her Majesty's Australian Colonies," establishing a Legislative Council and Assembly within the said Colony, in lieu of the present Legislative Council. 20

Powers of the repealed Acts continued for certain Purposes in this Country.

III. The Powers vested by the said Acts in Her Majesty, the Commissioners of Her Majesty's Treasury, and the Colonial Land and Emigration Commissioners respectively, shall continue so far as regards the Appropriation and Application of Monies which may be received from the said Colonies respectively under and by 25
virtue of the Provisions of the said Acts or either of them.

Power to amend or repeal Orders in Council.

IV. It shall be lawful for the Legislature of any Colony in which the Repeal of the said Act of the Tenth Year of Her Majesty shall have taken effect to repeal, alter, or amend any Order in Council made under Authority of the said Act, and affecting such Colony. 30

Power to the Legislature of Van Diemen's Land, and of South Australia when its Constitution is altered, to dispose of Waste Land.

V. It shall be lawful for the Legislature of Van Diemen's Land, and for the Legislature of South Australia after such Change in the Constitution thereof as aforesaid, by any Act or Acts to be passed from Time to Time in the same Manner and under the same Conditions as are or may be by Law required in respect of other Acts of the 35
said Legislatures respectively, to regulate the Sale and other Disposal of the Waste Lands of the Crown in the said Two last-mentioned Colonies respectively, and the Disposal of the Proceeds arising therefrom for the Public Service of the said Colonies; any Provisions of an Act of Parliament of the Sixth Year of Her said Majesty, intituled 40
"An Act for the Government of New South Wales and Van Diemen's
" Land," or of an Act of the Fourteenth Year of Her said Majesty,
intituled

intituled "An Act for the better Government of Her Majesty's
" Australian Colonies," or of any other Act of Parliament, to the
contrary notwithstanding: Provided always, that it shall be lawful
for Her Majesty at any Time by Order in Council to separate
5 Norfolk Island from the Colony of Van Diemen's Land, and to make
such Provision for the Government of Norfolk Island as may seem
expedient.

Her Majesty may by Order in Council separate Norfolk Island from Van Diemen's Land.

VI. All Regulations respecting the Sale or other Disposal of the
Waste Lands of the Crown, made under the Authority of the said recited
10 Acts or either of them, which shall be legally in force in New South
Wales, Victoria, Van Diemen's Land, or South Australia, at the Date
when the present Act shall take effect in the said Colonies respectively,
shall remain in force in each of the said Colonies respectively until
the Legislature of such Colony shall otherwise provide.

Existing Regulations maintained in force until altered.

VII. It shall be lawful for Her Majesty, by Instructions under
Her Signet and Sign Manual, or through One of Her Principal
Secretaries of State, to regulate the Sale, Letting, Disposal, and Occu-
pation of Waste Lands of the Crown in Western Australia, and the
Disposal of the Proceeds arising therefrom, until Parliament shall
20 otherwise provide.

Power to regulate the Disposal of Waste Land in Western Australia.

VII. No Appropriation which has been or shall be made of the
Proceeds of the Sale or Disposal of the Waste Lands of the Crown
in either of the said Colonies shall be deemed invalid by reason of
its not having been made in accordance with the Provisions of the
25 said Acts of Parliament hereby repealed.

Past Appropriations to be valid.

IX. In the Construction of this Act the Term "Governor" shall
mean the Person for the Time being lawfully administering the
Government of any Colony.

Interpretation.

Waste Lands (Australia)
Acts Repeal.

A

B I L L

To repeal the Acts of Parliament now in force respecting the Disposal of the Waste Lands of the Crown in Her Majesty's Australian Colonies, and to make other Provision in lieu thereof.

(*Prepared and brought in by*
Lord John Russell and Mr. John Ball.)

Ordered, by The House of Commons, to be Printed,
17 May 1855.

[Bill 135.]

Under 1 oz.

Weights and Measures Bill.

ARRANGEMENT OF CLAUSES.

Preamble recites 5 G. 4. c. 74. ss. 1. 4. 3. & 5.

Provision concerning the Restoration of the Standards by Reference to the Pendulum, &c., 5 G. 4. c. 74. ss. 3. and 5. repealed; Sect. 1.

Restored Standard Yard established; 2.

Standard Pound Avoirdupois; 3.

Provisions of 5 G. 4. c. 74., not hereby repealed, to remain in force; 4.

Copies of the old Standards to continue to be legal; 5.

Provision for Restoration of Standards in case of Loss, &c.; 6.

4 May 1855. 18 VICT.



A

B I L L

FOR

Legalizing and preserving the restored Standards of Weights and Measures.

WHEREAS by an Act of the Fifth Year of the Reign of Preamble.
King George the Fourth, Chapter Seventy-four, “for 5 G. 4. c. 74.
“ascertaining and establishing Uniformity of Weights and

“Measures,” it was enacted, that from and after the First Day of May s. 1.

- 5 One thousand eight hundred and twenty-five the straight Line or
Distance between the Centres of the Two Points in the Gold Studs
in a certain straight Brass Rod then in the Custody of the Clerk of
the House of Commons should be the original and genuine Standard
of that Measure of Length or lineal Extension called a Yard, and
10 that the same straight Line or Distance between the Centres of the
said Two Points in the said Gold Studs in the said Brass Rod, the
Brass being at the Temperature of Sixty-two Degrees by Fahrenheit’s
Thermometer, should be the “Imperial Standard Yard;” and that s. 4.
from and after the First Day of May One thousand eight hundred
15 and twenty-five the Standard Brass Weight of One Pound Troy
Weight made in the Year One thousand seven hundred and fifty-
eight, then in the Custody of the Clerk of the House of Commons,
should be and the same was thereby declared to be the original and

[Bill 107.]

A 2

genuine

genuine Standard Measure of Weight, and that such Brass Weight should be the "Imperial Standard Troy Pound," and should be and the same was thereby declared to be the Unit or only Standard Measure of Weight from which all other Weights should be derived, computed, and ascertained, and that One Twelfth Part of the said Troy Pound 5 should be an Ounce, and that One Twentieth Part of such Ounce should be a Pennyweight, and that One Twenty-fourth Part of such Pennyweight should be a Grain, so That Five thousand seven hundred and sixty such Grains should be a Troy Pound, and that Seven thousand such Grains should be and they were thereby declared to be 10

a. 3 & 5. a Pound Avoirdupois: And whereas by the said Act Provision was made for restoring the said Imperial Standard Yard and the said Imperial Standard Troy Pound respectively, in case of Loss, Destruction, Defacement, or other Injury, by Reference to the Length of a Pendulum and to the Weight of a Cubic Inch of Water respectively: And whereas the said Imperial Standard Yard and Standard Pound Troy were destroyed in the Fire at the Houses of Parliament: And whereas by the Researches of scientific Men Doubts were thrown on the Accuracy of the Methods provided by the said Act for the Restoration of the said Standards: And whereas there exist Bars and 20 Weights which had been accurately compared with the said Standard Yard and Standard Pound Troy so destroyed as aforesaid, which afforded sufficient Means for restoring such original Standards: And whereas scientific Men acting for that Purpose under the Direction of the Commissioners of Her Majesty's Treasury have constructed 25 a Standard of Length equivalent to the Imperial Standard Yard so destroyed, and Four accurate Copies of the Standard so constructed, and it having been deemed expedient that the Standard for Reference as a Measure of Weight should be a Pound Avoirdupois, there has been constructed in like Manner a Pound Weight 30 Avoirdupois equivalent to the Pound Avoirdupois of Seven thousand such Grains as are mentioned in the said recited Act, and Four accurate Copies of the said Pound Avoirdupois so constructed: And whereas the Form adopted for the Standard of Length and for all the Copies thereof is that of a solid square Bar Thirty- 35 eight Inches long and One Inch square in transverse Section, the Bar being of Bronze or Gun Metal; near to each End a cylindrical Hole is sunk (the Distance between the Centres of the Two Holes being Thirty-six Inches) to the Depth of Half an Inch; at the Bottom of this Hole is inserted in a smaller Hole a Gold Plug or Pin about 40 One Tenth of an Inch in Diameter, and upon the Surface of this Pin there are cut Three fine Lines at Intervals of about the One Hundredth Part of an Inch transverse to the Axis of the Bar, and Two Lines at nearly the same Interval parallel to the Axis of the Bar; the Measure of Length is given by the Interval between the Middle 41 transversal

transversal Line at one End and the Middle transversal Line at the other End, the Part of each Line which is employed being the Point Midway between the longitudinal Lines; and the said Points are herein referred to as the Centres of the said Gold Plugs or Pins:

5 And whereas the Standard Pound Avoirdupois so constructed as aforesaid, and the Copies thereof, are of Platinum, the Form being that of a Cylinder nearly 1.35 Inch in Height and 1.15 Inch in Diameter, with a Groove or Channel round it whose Middle is about 0.34 Inch below the Top of the Cylinder, for Insertion of the Points

10 of the Ivory Fork by which it is to be lifted; the Edges are carefully rounded off: And whereas the Standard of Length so constructed as aforesaid, the Bronze Bar, being marked "Copper 16 oz., Tin $2\frac{1}{2}$, Zinc 1. Mr. Baily's Metal. No. 1. Standard Yard at $62^{\circ} 00$ Fahrenheit. Cast in 1845. Troughton & Simms, London," and

15 the said Standard of Weight marked P.S. 1844, 1 lb., have respectively been deposited in the Office of the Exchequer at Westminster, and One of the said Copies of the said Standard of Length, the Bronze Bar, being marked "Copper 16 oz., Tin $2\frac{1}{2}$, Zinc 1. Mr. Baily's Metal. No. 2. Standard Yard at $61^{\circ} 94$ Fahrenheit. Cast in 1845.

20 "Troughton & Simms, London," and One of the said Copies of the Standard of Weight marked No. 1, P.C. 1844, 1 lb., have been deposited at the Royal Mint; and One other of the said Copies of the Standard of Length, the Bronze Bar, being marked "Copper 16 oz., Tin $2\frac{1}{2}$, Zinc 1. Mr. Baily's Metal. No. 3. Standard Yard

25 "at $62^{\circ} 10$ Fahrenheit. Cast in 1845. Troughton and Simms, London," and One other of the said Copies of the Standard of Weight marked No. 2. P.C. 1844, 1 lb., have been delivered to the Royal Society of London; and One other of the said Copies of the Standard of Length, the Bronze Bar, being marked "Copper 16 oz., Tin $2\frac{1}{2}$,

30 "Zinc 1. Mr. Baily's Metal. No. 5. Standard Yard at $62^{\circ} 16$ Fahrenheit. Cast in 1845. Troughton & Simms, London," and One other of the said Copies of the Standard of Weight marked No. 3., P.C. 1844, 1 lb., have been deposited in the Royal Observatory of Greenwich; and the other of the said Copies of the Standard

35 of Length, the Bronze Bar, being marked "Copper 16 oz., Tin $2\frac{1}{2}$, Zinc 1. Mr. Baily's Metal. No. 4. Standard Yard at $61^{\circ} 98$ Fahrenheit. Cast in 1845. Troughton & Simms, London," and the other of the said Copies of the Standard of Weight marked No. 4. P.C. 1844, 1 lb., have been immured in the Cill of the Recess on the East Side

40 of the lower Waiting Hall in the New Palace at Westminster: And whereas it is expedient to legalize the Standards so constructed and to provide for the Preservation thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present

45 Parliament assembled, and by the Authority of the same, as follows:

concerning
the Restora-
tion of the
Standards
by Reference
to the Pen-
dulum, &c.,
5 G. 4.

c. 74. ss. 3.
& 5., re-
pealed.

Restored
Standard
Yard esta-
blished.

I. So much of the said Act of the Fifth Year of King George the Fourth as relates to the Restoration of the Imperial Standard Yard and of the Standard Troy Pound respectively, in case of Loss, Destruction, Defacement, or other Injury, shall be repealed.

II. The straight Line or Distance between the Centres of the 5 Two Gold Plugs or Pins in the Bronze Bar deposited in the Office of the Exchequer as aforesaid shall be the genuine Standard of that Measure of Length called a Yard, and the said straight Line or Distance between the Centres of the said Gold Plugs or Pins in the said Bronze Bar (the Bronze being at the Temperature of Sixty-two 10 Degrees by Fahrenheit's Thermometer) shall be and be deemed to be the Imperial Standard Yard.

Standard
Pound
Avoirdupois.

III. The said Weight of Platinum marked P.S. 1844, 1 lb., deposited in the Office of the Exchequer as aforesaid, shall be the legal and genuine Standard Measure of Weight, and shall be and be 15 denominated the Imperial Standard Pound Avoirdupois, and shall be deemed to be the only Standard Measure of Weight from which all other Weights and other Measures having Reference to Weight shall be derived, computed, and ascertained, and One equal Seven Thou- 20 sandth Part of such Pound Avoirdupois shall be a Grain, and Five thousand seven hundred and sixty such Grains shall be and be deemed to be a Pound Troy.

Provisions
of 5 G. 4.
c. 74. not
hereby re-
pealed, &c.,
to remain
in force.

IV. All the Provisions of the said Act of the Fifth Year of King George the Fourth now in force, and not hereby repealed, and all 25 other Enactments now in force in relation to Weights and Measures, shall continue in force and be applicable to the Standards of Weight and Measure hereby established, as if the same Standards had been established by the said Act of King George the Fourth instead of the Standard Yard and Standard Pound Troy so destroyed as aforesaid, and as if the Pound Troy of Five thousand seven hundred and sixty 30 Grains had been established as a derivative Standard computed with Reference to the Pound Avoirdupois.

Copies of
the Old
Standards
to continue
to be legal.

V. All Weights and Measures, and Copies of Weights and Measures, which have been compared and verified or authenticated according to Law as Copies of the Imperial Standard Weights and Measures, shall 35 remain and be legal Weights and Measures for the same Time, for the same Purposes, and in like Manner as if this Act had not been passed.

Provision
for Restora-
tion of
Standards
in case of
Loss, &c.

VI. If at any Time hereafter the said Imperial Standard Yard and Standard Pound Avoirdupois respectively, or either of them, be 40 lost, or in any Manner destroyed, defaced, or otherwise injured, the Commissioners of Her Majesty's Treasury may cause the same to be restored by Reference to the Copies so deposited as aforesaid, or such of them as may remain available for that Purpose.

Weights and Measures.

A

BILL

For legalizing and preserving the restored
Standards of Weights and Measures.

(*Prepared and brought in by*
Mr. Wilson and The Chancellor of the Exchequer.)

Ordered, by The House of Commons, to be Printed
4 May 1855.

[Bill 107.]

Under 1 oz.

Weights and Measures Bill.

[AS AMENDED BY THE LORDS.]

ARRANGEMENT OF CLAUSES.

Preamble recites 5 G. 4. c. 74. ss. 1. 4. 3. & 5.

Provisions concerning the Restoration of the Standards by Reference to the Pendulum, &c., 5 G. 4. c. 74. ss. 3. and 5. repealed; Sect. 1.

Restored Standard Yard established; 2.

Standard Pound Avoirdupois; 3.

Provisions of 5 G. 4. c. 74. not hereby repealed, &c. to remain in force; 4.

Copies of the old Standards to continue to be legal; 5.

Verification of Weights and Measures [*Added by the Lords*].

Provision for Restoration of Standards in case of Loss, &c.; 6.

2 July 1855. 18 & 19 VICT.



A

BILL

[AS AMENDED BY THE LORDS]

INTITULED

An Act for legalizing and preserving the restored
Standards of Weights and Measures.

[Note.—The Clause and Words in Red Ink were added by the Lords.]

WHEREAS by an Act of the Fifth Year of the Reign of Preamble.
King George the Fourth, Chapter Seventy-four, "for 5 G. 4. c. 74.
" ascertaining and establishing Uniformity of Weights and
" Measures," it was enacted, that from and after the First Day of May s. 1.
5 One thousand eight hundred and twenty-five the straight Line or
Distance between the Centres of the Two Points in the Gold Studs
in a certain straight Brass Rod then in the Custody of the Clerk of
the House of Commons should be the original and genuine Standard
of that Measure of Length or lineal Extension called a Yard, and
10 that the same straight Line or Distance between the Centres of the
said Two Points in the said Gold Studs in the said Brass Rod, the
Brass being at the Temperature of Sixty-two Degrees by Fahrenheit's
Thermometer, should be the "Imperial Standard Yard;" and that s. 4.
from and after the First Day of May One thousand eight hundred
15 and twenty-five the Standard Brass Weight of One Pound Troy
Weight made in the Year One thousand seven hundred and fifty-
eight, then in the Custody of the Clerk of the House of Commons,
should be and the same was thereby declared to be the original and
[Bill 215.] A 2 genuine

ss. 3 & 5.

genuine Standard Measure of Weight, and that such Brass Weight should be the "Imperial Standard Troy Pound," and should be and the same was thereby declared to be the Unit or only Standard Measure of Weight from which all other Weights should be derived, computed, and ascertained, and that One Twelfth Part of the said Troy Pound 5 should be an Ounce, and that One Twentieth Part of such Ounce should be a Pennyweight, and that One Twenty-fourth Part of such Pennyweight should be a Grain, so That Five thousand seven hundred and sixty such Grains should be a Troy Pound, and that Seven thousand such Grains should be and they were thereby declared to be 10 a Pound Avoirdupois: And whereas by the said Act Provision was made for restoring the said Imperial Standard Yard and the said Imperial Standard Troy Pound respectively, in case of Loss, Destruction, Defacement, or other Injury, by Reference to the Length of a Pendulum and to the Weight of a Cubic Inch of Water respectively: And whereas the said Imperial Standard Yard and Standard 15 Pound Troy were destroyed in the Fire at the Houses of Parliament: And whereas by the Researches of scientific Men Doubts were thrown on the Accuracy of the Methods provided by the said Act for the Restoration of the said Standards: And whereas there exist Bars and 20 Weights which had been accurately compared with the said Standard Yard and Standard Pound Troy so destroyed as aforesaid, which afforded sufficient Means for restoring such original Standards: And whereas scientific Men acting for that Purpose under the Direction of the Commissioners of Her Majesty's Treasury have constructed 25 a Standard of Length equivalent to the Imperial Standard Yard so destroyed, and Four accurate Copies of the Standard so constructed, and it having been deemed expedient that the Standard for Reference as a Measure of Weight should be a Pound Avoirdupois, there has been constructed in like Manner a Pound Weight 30 Avoirdupois equivalent to the Pound Avoirdupois of Seven thousand such Grains as are mentioned in the said recited Act, and Four accurate Copies of the said Pound Avoirdupois so constructed: And whereas the Form adopted for the Standard of Length and for all the Copies thereof is that of a solid square Bar Thirty- 35 eight Inches long and One Inch square in transverse Section, the Bar being of Bronze or Gun Metal; near to each End a cylindrical Hole is sunk (the Distance between the Centres of the Two Holes being Thirty-six Inches) to the Depth of Half an Inch; at the Bottom of this Hole is inserted in a smaller Hole a Gold Plug or Pin about 40 One Tenth of an Inch in Diameter, and upon the Surface of this Pin there are cut Three fine Lines at Intervals of about the One Hundredth Part of an Inch transverse to the Axis of the Bar, and Two Lines at nearly the same Interval parallel to the Axis of the Bar; the Measure of Length is given by the Interval between the Middle 45 transversal

Weights and Measures.

transversal Line at one End and the Middle transversal Line at the other End, the Part of each Line which is employed being the Point Midway between the longitudinal Lines; and the said Points are herein referred to as the Centres of the said Gold Plugs or Pins:

5 And whereas the Standard Pound Avoirdupois so constructed as aforesaid, and the Copies thereof, are of Platinum, the Form being that of a Cylinder nearly 1·35 Inch in Height and 1·15 Inch in Diameter, with a Groove or Channel round it whose Middle is about 0·34 Inch below the Top of the Cylinder, for Insertion of the Points

10 of the Ivory Fork by which it is to be lifted; the Edges are carefully rounded off: And whereas the Standard of Length so constructed as aforesaid, the Bronze Bar, being marked "Copper 16 oz., Tin 2½, "Zinc 1. Mr. Baily's Metal. No. 1. Standard Yard at 62°·00 "Fahrenheit. Cast in 1845. Troughton & Simms, London," and

15 the said Standard of Weight marked P.S. 1844, 1 lb., have respectively been deposited in the Office of the Exchequer at Westminster, and One of the said Copies of the said Standard of Length, the Bronze Bar, being marked "Copper 16 oz., Tin 2½, Zinc 1. Mr. Baily's "Metal. No. 2. Standard Yard at 61°·94 Fahrenheit. Cast in 1845.

20 "Troughton & Simms, London," and One of the said Copies of the Standard of Weight marked No. 1, P.C. 1844, 1 lb., have been deposited at the Royal Mint; and One other of the said Copies of the Standard of Length, the Bronze Bar, being marked "Copper "16 oz., Tin 2½, Zinc 1. Mr. Baily's Metal. No. 3. Standard Yard

25 "at 62°·10 Fahrenheit. Cast in 1845. Troughton and Simms, London," and One other of the said Copies of the Standard of Weight marked No. 2. P.C. 1844, 1 lb., have been delivered to the Royal Society of London; and One other of the said Copies of the Standard of Length, the Bronze Bar, being marked "Copper 16 oz., Tin 2½,

30 "Zinc 1. Mr. Baily's Metal. No. 5. Standard Yard at 62°·16 "Fahrenheit. Cast in 1845. Troughton & Simms, London," and One other of the said Copies of the Standard of Weight marked No. 3., P.C. 1844, 1 lb., have been deposited in the Royal Observatory of Greenwich; and the other of the said Copies of the Standard

35 of Length, the Bronze Bar, being marked "Copper 16 oz., Tin 2½, "Zinc 1. Mr. Baily's Metal. No. 4. Standard Yard at 61°·98 "Fahrenheit. Cast in 1845. Troughton & Simms, London," and the other of the said Copies of the Standard of Weight marked No. 4. P.C. 1844, 1 lb., have been immured in the Cill of the Recess on the East Side

40 of the lower Waiting Hall in the New Palace at Westminster: And whereas it is expedient to legalize the Standards so constructed and to provide for the Preservation thereof: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present

45 Parliament assembled, and by the Authority of the same, as follows:

Provisions
concerning
the Restora-
tion of the
Standards
by Reference
to the Pen-
dulum, &c.,
5 G. 4.
c. 74. ss. 3.
& 5., re-
pealed.
Restored
Standard
Yard esta-
blished.

4

Weights and Measures.

I. So much of the said Act of the Fifth Year of King George the Fourth as relates to the Restoration of the Imperial Standard Yard and of the Standard Troy Pound respectively, in case of Loss, Destruction, Defacement, or other Injury, shall be repealed.

II. The straight Line or Distance between the Centres of the 5
Two Gold Plugs or Pins in the Bronze Bar deposited in the Office
of the Exchequer as aforesaid shall be the genuine Standard of that
Measure of Length called a Yard, and the said straight Line or
Distance between the Centres of the said Gold Plugs or Pins in the
said Bronze Bar (the Bronze being at the Temperature of Sixty-two 10
Degrees by Fahrenheit's Thermometer) shall be and be deemed to be
the Imperial Standard Yard.

Standard
Pound
Avoirdupois.

III. The said Weight of Platinum marked P.S. 1844, 1 lb.,
deposited in the Office of the Exchequer as aforesaid, shall be the
legal and genuine Standard Measure of Weight, and shall be and be 15
denominated the Imperial Standard Pound Avoirdupois, and shall be
deemed to be the only Standard Measure of Weight from which all
other Weights and other Measures having Reference to Weight shall
be derived, computed, and ascertained, and One equal Seven Thou-
sandth Part of such Pound Avoirdupois shall be a Grain, and Five 20
thousand seven hundred and sixty such Grains shall be and be deemed
to be a Pound Troy.

Provisions
of 5 G. 4.
c. 74. not
hereby re-
pealed, &c.
to remain
in force.

IV. All the Provisions of the said Act of the Fifth Year of King
George the Fourth now in force, and not hereby repealed, and all
other Enactments now in force in relation to Weights and Measures, 25
shall continue in force and be applicable to the Standards of Weight
and Measure hereby established, as if the same Standards had been
established by the said Act of King George the Fourth instead of the
Standard Yard and Standard Pound Troy so destroyed as aforesaid,
and as if the Pound Troy of Five thousand seven hundred and sixty 30
Grains had been established as a derivative Standard computed with
Reference to the Pound Avoirdupois.

Copies of
the Old
Standards
to continue
to be legal.

V. All Weights and Measures, and Copies of Weights and Measures,
which have been compared and verified or authenticated according to
Law as Copies of the Imperial Standard Weights and Measures, shall 35
remain and be legal Weights and Measures for the same Time, for
the same Purposes, and in like Manner as if this Act had not been
passed.

All

All Weights and Measures which shall be hereafter verified and authenticated by Comparison with the said Imperial Standards of Weight and Measure, in such Manner as Her Majesty shall by any Orders in Council from Time to Time direct and appoint, shall be
5 deemed and taken to be legal secondary Weights and Measures.

VI. If at any Time hereafter the said Imperial Standard Yard and Standard Pound Avoirdupois respectively, or either of them, be lost, or in any Manner destroyed, defaced, or otherwise injured, the Commissioners of Her Majesty's Treasury may cause the same to be
10 restored by Reference to or Adoption of any of the Copies so deposited as aforesaid, or such of them as may remain available for that Purpose.

Verification
of Weights
and Mea-
sures.

Provision
for Restora-
tion of
Standards
in case of
Loss, &c.

A

BILL

[AS AMENDED BY THE LORDS]

INTITLED

An Act for legalizing and preserving the
restored Standards of Weights and
Measures.

*Ordered, by the House of Commons, to be Printed,
2 July 1855.*

[Bill 215.]

Under 1 oz.

28 June 1855. 18 & 19 VICT.



A

B I L L

TO

Authorize the Commissioners of the Treasury to
make Arrangements concerning certain Loans
advanced by way of Relief to the Islands of
Antigua, Nevis, and Montserrat.

WHEREAS by an Act passed in the Session holden in the Preamble.
Sixth and Seventh Years of Her Majesty, Chapter Sixty- 6 & 7 Vict.
three, ("for granting Relief to the Islands of Antigua, c. 63.
Saint Kitts, Nevis, Dominica, and Montserrat,") the Commissioners
5 of Her Majesty's Treasury were authorized in manner therein men-
tioned to lend Exchequer Bills, for any Sum not exceeding One hundred
thousand Pounds for the Service of the Island of Antigua, and any
Sums not exceeding in the whole Fifty thousand Pounds for the Ser-
vice of the Islands of Saint Kitts, Nevis, Dominica, and Montserrat,
10 on the Credit of the Revenues and Public Property of the said Islands
respectively, as soon as the said Commissioners should be satisfied that
Repayment of the several Sums to be advanced (with Interest thereon,
at the yearly Rate of Four Pounds by the Hundred,) was duly secured
to the Satisfaction of the said Commissioners by some Act or Acts passed
15 or to be passed by the several Legislatures of the said Islands respec-
[Bill 205.] tively:

tively : And whereas the Commissioners of Her Majesty's Treasury accordingly advanced the Sum of One hundred thousand Pounds to the Island of Antigua, the Sum of Twelve thousand Pounds to the Island of Nevis, and the Sum of Twenty-three thousand Pounds to the Island of Montserrat, the Repayment of such several Sums, with 5 Interest, having been secured by the Legislatures of the said respective Islands, as required by the said Act, and out of the Sums so advanced Advances were made under the Authority of the said respective Legislatures, to Persons who had suffered Losses by the Earthquakes in the said Islands : And whereas under the Circum- 10 stances of the said Islands the Payment of some of the Instalments of the Principal Money remaining due on the Securities given by the said Legislatures has been suspended : And whereas it is expedient that the Commissioners of the Treasury should be empowered to extend the Time for the Repayment of the Principal Monies remain- 15 ing owing on the said Securities, and to reduce the Interest payable thereunder as herein-after mentioned : Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows : 20

Treasury authorized to extend the Time of Repayment of Loans to Antigua, Nevis, and Montserrat, and to reduce Interest to 3l. 5s. per Cent.

Corresponding Advantages being secured to the private Borrowers.

I. It shall be lawful for the Commissioners of Her Majesty's Treasury to grant such Extension of the Period for Payment of the Principal Monies owing by the said Islands of Antigua, Nevis, and Montserrat respectively in respect of the said Loans, and to accept Payment thereof by such Instalments and at such Times as the said Commis- 25 sioners in their Discretion may think proper and fix in the Case of each of the said Islands, and to accept Interest upon the Principal Monies remaining unpaid after the yearly Rate of *Three Pounds Five Shillings* per Centum instead of the said yearly Rate of Four Pounds per Centum, upon being satisfied that Acts have 30 been passed by the Legislatures of such Islands respectively for securing on the Credit of the Revenue or public Property thereof the punctual Payment of the Instalments of Principal Monies, with Interest as aforesaid, at the Times and in manner fixed by the said Commissioners, and also for securing to the Persons indebted in respect 35 of the Advances made out of the said Loans to the Sufferers in the said Islands Advantages corresponding with those granted to such Legislatures under this Act.

In case of Default of Payment at the Times fixed under this Act, the Rate of Interest

II. Provided always, That in case of Default in Payment of any of the Instalments of Principal Monies which may become payable 40 from any of the said Islands under such Extension of Time, or of the said reduced Interest, at the Times fixed by the said Commissioners of the Treasury, it shall be lawful for such Commissioners to

to require from the Island so in default Payment of Interest at the yearly Rate of Four Pounds per Centum on the Principal Monies remaining due, and also Payment of such Principal Monies by such Instalments as were made payable by the Securities originally given
5 by the Legislature of such Island; and such Interest and Instalments of Principal Monies which may be so required to be paid shall thereupon become payable accordingly.

and Instalments originally agreed upon may be required.

Arrangement.

A

B I L L

To authorize the Commissioners of the Treasury to make Arrangements concerning certain Loans advanced by way of Relief to the Islands of Antigua, Nevis, and Montserrat.

(Prepared and brought in by
Mr. Wilson and the Chancellor of the Exchequer.)

*Ordered, by The House of Commons, to be Printed,
28 June 1855.*

[Bill 205.]

Under 1 oz.

20 June 1855. 18 & 19 VICT.



(Scotland.)

A

B I L L

TO

Extend to Scotland the Act to amend the Laws for the Prevention of Frauds and Abuses by Persons employed in the Woollen, Worsted, Linen, Cotton, Flax, Mohair, and Silk Hosiery Manufactures; and for the further securing the Property of the Manufacturers and the Wages of the Workmen engaged therein.

WHEREAS an Act was passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, Chapter Forty, intituled “An Act to amend the Laws for the Prevention of Frauds and Abuses by Persons employed in the Woollen, Worsted, Linen, Cotton, Flax, Mohair, and Silk Hosiery Manufactures; and for the further securing the Property of the Manufacturers and the Wages of the Workmen engaged therein,” and it is expedient that the Provisions of the said Act should be extended to Scotland, subject to the Provisions herein-after made: Be it enacted by the Queen’s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and

Preamble.
6 & 7 Vict.
c. 40.

5 “Persons employed in the Woollen, Worsted, Linen, Cotton, Flax,
“Mohair, and Silk Hosiery Manufactures; and for the further
“securing the Property of the Manufacturers and the Wages of the
“Workmen engaged therein,” and it is expedient that the Provisions
10 sions herein-after made: Be it enacted by the Queen’s most Excellent
Majesty, by and with the Advice and Consent of the Lords Spiritual
[Bill 181.] and

and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same; as follows :

Act to extend
to Scotland
except cer-
tain Clauses.

I. The said recited Act shall, with the Exception of Sections Twenty-six, Twenty-eight, Thirty-one, Thirty-six, and Thirty-seven, extend to Scotland, subject to the Provisions of this Act.

5

Interpreta-
tion of
Words.

II. In construing the said recited Act in Scotland, the following Expressions shall have the Meaning herein assigned to them :

The Verb "to distrain" shall signify "to poind :"

The Word "Distress" shall signify "Poinding :"

The Words "sufficient Distress" shall signify "sufficient Goods, 10
Gear and Effects :"

The Word "Misdemeanor" shall signify "Offence :"

The Word "Recognizance" shall signify "Bond of Caution :"

The Words "issue Process" shall signify "grant Diligence."

Sheriff to
have like
Jurisdiction
with Justices
of the Peace.

III. In Scotland any Sheriff shall within his Jurisdiction have like 15
Powers with any Justice or Justices of the Peace under the said
recited Act, and his Judgment shall not in any way be subject to
Review.

Forms of
Procedure.

IV. In all Proceedings under the said Act or this Act in Scotland it shall be sufficient to refer to the Section founded upon by its Number, 20
without setting forth the same at Length; and all Informations, Sum-
monses, Warrants, Bonds, and Convictions may be either printed or
written or partly printed and partly written; and no written Record
shall be kept of the Proceedings further than the said Documents; and
all Convictions shall be signed by the Sheriff or Justices pronouncing 25
the same, and shall not be subject to Review in any way further than
is provided in this and the said recited Act.

Application
of Fines.

V. In Scotland all Fines and Penalties under the said recited Act shall, in so far as not paid to any private Party, be accounted for in usual Manner.

30

Actions or
Prosecutions
not to be
barred.

VI. Nothing in this or the said Act contained shall be held to bar any Right of Action or any Criminal Prosecution.

Woollen, &c. Manu- factures.

(Scotland.)

A

B I L L

To extend to Scotland the Act to amend the Laws for the Prevention of Frauds and Abuses by Persons employed in the Woollen, Worsted, Linen, Cotton, Flax, Mohair, and Silk Hosiery Manufactures and for the further securing the Property of the Manufacturers and the Wages of the Workmen engaged therein.

(*Prepared and brought in by*
Mr. FitzRoy, the Lord Advocate, and
Viscount Duncan.)

Ordered, by The House of Commons, to be Printed,
20 June 1855.

[Bill 181.]

Under 1 oz.

26 April 1855. 18 VICT.



A

B I L L

FOR

Disafforesting the Forest of Woolmer.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS the Queen's most Excellent Majesty in right of Her Crown is seised to Herself, Her Heirs and Successors, of and in Woolmer Forest in the County of Southampton, and of and in the Soil thereof, and the Timber and other
 5 Trees, Bushes, and Underwood standing and growing thereon, subject to divers Claims of Rights of Common and other Rights and Interests of Her Majesty and of divers of Her Majesty's Subjects in and over the same: And whereas by an Act passed in the Session of Parliament held in the Fifty-second Year of the Reign of His late Majesty
 10 King George the Third, intituled "An Act for the better Cultivation of Navy Timber in the Forest of Woolmer in the County of
 "Southampton," it was enacted, that it should be lawful for His Majesty, His Heirs and Successors, from Time to Time to inclose, sever, and improve, within and out of the Waste Lands of the said
 15 Forest, any Quantity of the said Lands not exceeding in the whole Two thousand Acres, to be inclosed and held in Severalty at One and the same Time, and that such Inclosure should remain in Severalty in the actual Possession of His Majesty, His Heirs and Successors, freed and discharged of and from all manner of Rights,
 20 Titles, Pretences, and Privileges or Claims whatsoever, (other than
 [Bill 94.] A and

Preamble.

52 G. 3. c. 71.

and except as therein stated,) during the Period of the same remaining so inclosed for the Growth and Preservation of Timber, and until the same or any Part thereof should be laid open, under the Provisions of the now reciting Act : And whereas, in pursuance of the Powers in the said Act contained, certain Parts of the said Forest, containing in 5 all One thousand seven hundred Acres or thereabouts, were inclosed for the Purposes of the said Act, and continue inclosed : And whereas the Lands in the said Forest might be made more valuable and productive if the said Forest were disafforested : And whereas Her Majesty has been graciously pleased to signify Her Consent that 10 the said Forest should be disafforested, and that the Officers of Her Majesty of or for the said Forest should be discharged, and that such Allotment should be made to Her Majesty in respect of Her Estate, Rights, and Interests in and over the said Forest, and that such Compensation should be made to the Officers of the said Forest, 15 as herein-after provided : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows : 20

52 G. 3. c. 71.
repealed, so
far as incon-
sistent with
this Act.

I. So much of the said recited Act as is inconsistent with any Part of this Act shall be and the same is hereby repealed.

Appoint-
ment of Com-
missioners.

The Bound-
aries of the
Forest to be
ascertained
by Three
Commis-
sioners.

All other
Require-
ments of the
Act to be
done by One
Commis-
sioner.

II. The Provisions of this Act shall be carried into execution by Commissioners to be appointed as herein-after mentioned ; and for the Purpose of ascertaining the Boundaries of the said Forest, the Com- 25 missioners for carrying this Act into execution shall be Three in Number, One of whom shall be appointed in Writing by the Commissioners for the Time being of Her Majesty's Treasury, One other shall be appointed by the Inclosure Commissioners for England and Wales for the Time being, and the Third shall be appointed by the 30 Lord Chief Justice of the Court of Queen's Bench for the Time being ; and for carrying all the other Requirements of this Act into execution there shall be but One Commissioner, to be appointed as aforesaid, who shall be the Commissioner appointed by the Inclosure Commissioners for England and Wales ; and so often as any Vacancy 35 shall occur, by Death, Resignation, or Incapacity, a new Commissioner shall be appointed, in like Manner as the Commissioner whose Vacancy is to be supplied was appointed ; and all such Commissioners, or such sole Commissioner, when appointed respectively, shall be the Commissioners or the sole Commissioner for carrying this Act into 40 execution respectively, and all Acts and Powers to be performed by or given to the said Three Commissioners under the Provisions herein contained may be performed or exercised by any *Two* of such Three Commissioners.

III. Every

III. Every Commissioner shall, before he enters upon the Execution of his Office, make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

‘ I DO solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute the Powers and Duties of a Commissioner under an Act passed in the Year of the Reign of Queen Victoria, intituled “ An Act,” &c. [here set forth the Title of this Act].’

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

Commissioner to make and subscribe Declaration before entering upon Execution of Office.

IV. It shall be lawful for the said Commissioners and sole Commissioner from Time to Time to employ a Land Surveyor and Valuer in such Manner as they respectively shall think necessary.

Commissioners to employ a Land Surveyor and Valuer.

V. Every Land Surveyor and Valuer so to be employed shall, before entering upon the Duties of his Office, make and subscribe, before the Commissioners of this Act, or before One of such Commissioners, (who are hereby severally authorized to administer or receive the same,) the Declaration following:

‘ I DO solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, perform all the Duties which may devolve upon me as a Land Surveyor and Valuer in the Matter of an Act passed in the Year of the Reign of Queen Victoria, intituled “ An Act,” &c. [here set forth the Title of this Act].’

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

Land Surveyor and Valuer to make and subscribe Declaration of Fidelity.

VI. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, shall, out of the Land Revenues of the Crown, pay and allow to the Commissioners and sole Commissioner of this Act such Sum not exceeding the Sum of Pounds as shall be thought sufficient and in proportion to the Time and Labour which may be bestowed by them respectively in carrying this Act into execution (such Proportion, in the event of any Difference of Opinion with regard thereto, to be conclusively determined by the Commissioners of Her Majesty's Treasury), and shall also allow to the said Commissioners and sole Commissioner of this Act respectively all Costs and Expenses of employing any such Land Surveyor and Valuer as aforesaid, and all other reasonable Expenses incurred by

The Commissioners of Woods to pay the Commissioners of this Act the Expenses incurred in the Performance of their Duties.

them respectively in the Performance of their respective Duties under this Act.

The Three Commissioners to ascertain the Boundaries of the Forest. Boundaries so ascertained to be the true Boundaries of the Forest for all the Purposes of the Act.

VII. The said Three Commissioners of this Act shall forthwith proceed to ascertain the Boundaries of the said Forest, and to determine all Claims relating thereto, and for that Purpose shall or may 5 make use of any existing Maps, Plans, or Surveys, at their Discretion; and the said Commissioners shall by their Award in Writing, executed in Duplicate within *One Year* from the passing of this Act, certify and determine the Boundaries of the said Forest, and the Boundaries as ascertained and determined by the said Commissioners 10 shall be held to be the true Boundaries of the said Forest for all the Purposes of this Act.

All Lodges and Lands held therewith, and all Inclosures made under the Authority of the 52 G. 3. c. 71., to be vested in Her Majesty as Part of the Hereditary Possessions of the Crown, freed from all Rights.

VIII. So soon as the Boundaries of the said Forest shall have been ascertained as aforesaid, all and every the Lodges and Lands inclosed and held therewith by the Keepers or other Officers of Her Majesty 15 (being certain Parts of the said Forest of which Her Majesty is seised in right of Her Crown, to Herself, Her Heirs and Successors, discharged of all Common and other Rights,) and also all the said Pieces of Land, amounting in the whole to One thousand seven hundred Acres, so inclosed under the Authority of the said recited Act, shall become 20 and be vested in Her Majesty, Her Heirs and Successors, as Part and Parcel of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged from all Rights of Common and other Rights, and from all Claims and Demands whatsoever.

Allotment to Her Majesty in satisfaction of Her Rights.

IX. The said sole Commissioner shall thereupon proceed to set 25 out and allot to Her Majesty, Her Heirs and Successors, such Part or Parts of the remaining Part of the said Forest as with the said Pieces of Land amounting together to One thousand seven hundred Acres, and so inclosed as aforesaid, he shall think a full, fair, and sufficient Compensation to Her Majesty for all Her forestal and other 30 Rights in and over the said Forest, and also for all the Rights which Her Majesty, Her Heirs or Successors, is or may be entitled to exercise and enjoy in and over the said Forest or any Part or Parts thereof, under the Authority of the said recited Act, or otherwise howsoever; and such Allotment or Allotments, when made, shall be vested in Her 35 Majesty, Her Heirs and Successors, as Part and Parcel of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged from all Rights and Claims of Common of Pasture and all other Rights and Claims whatsoever.

Allotment to be made where most

X. In making such Allotment or Allotments as aforesaid, the said 40 sole Commissioner shall and he is hereby required to set out and allot such

such Part or Parts of the said Forest as shall be conveniently situated for Occupation with the said Pieces of Land amounting to One thousand seven hundred Acres, hereby vested in Severalty in Her Majesty, Her Heirs and Successors, as aforesaid.

convenient for Occupation with Lands already vested in Her Majesty.

- 5 XI. On the making of such Award by the sole Commissioner as herein-after directed, the said Forest of Woolmer shall be for ever disafforested, and the Residue of the said Forest shall thereupon become and be the Property of the several Persons entitled to Rights of Common in and over the said Forest, as they are now entitled to the
10 same, freed and discharged of and from all Right of Soil or other Right or Claim of Her Majesty, Her Heirs and Successors, in, to, or over the said Residue of the said Forest.

On the making of Award, Forest to be disafforested.

- XII. And for enabling the said sole Commissioner to make his Award, it shall be lawful for the said Commissioners of Woods, on
15 behalf of Her Majesty, to produce and give to and before the said sole Commissioner Evidence in support of Her Majesty's Rights or any of them, and of the Value thereof; and it shall be lawful for any Person or Persons who, in the Opinion of the said sole Commissioner, shall be interested in the Premises, to appear before the said sole
20 Commissioner, and to adduce such Evidence as in the Opinion of the said sole Commissioner shall be admissible, for the Purpose of controverting any Statement or Evidence made or offered to the said sole Commissioner in support of the Claims or Rights of Her Majesty, or of the Value thereof respectively.

Commissioners of Woods to produce Evidence in support of the Rights of the Crown, to enable the sole Commissioner to make his Award.

- 25 XIII. The said sole Commissioner shall make his Award in Writing within *Two Years* from the passing of this Act; and such Award shall be executed in Duplicate, and One Part (together with One Part of the Award determining the Boundaries of the said Forest) shall be deposited in the Office of Land Revenue Records and Inrolments,
30 and the other Part thereof (together with the other Part of the said Award determining the Boundaries) shall be deposited with the Clerk of the Peace for the said County of Southampton, there to remain, and to be examined by all Persons, at all reasonable Times, on Payment of a Fee of *One Shilling* for each Examination.

Award of Commissioner to be made within Two Years.

- 35 XIV. It shall be lawful for the Commissioners of Woods to exercise all the same Powers over and in respect of the Lands, Lodges, and other the Hereditaments respectively hereby vested in or to be allotted to Her Majesty as aforesaid as they are or at any Time hereafter shall be by Law enabled to exercise over and in respect of other
40 Lands of Her Majesty in right of Her Crown, not being Royal Forests, Parks, or Chases.

Commissioners of Woods to exercise same Powers over Lodges and Lands, and Allotments under this Act, as over other Lands of Her Majesty not being Royal Forests.

The Commissioner may make Roads proper for the Enjoyment of the Forest over any Part of the Forest, and (with the Owner's Consent) through inclosed Lands.

XV. The sole Commissioner of this Act may, if he shall think fit, set out and allot such Roads and Ways through and over the said Forest as he shall consider proper and necessary, and, with the Consent of the Owners, through and over any inclosed Lands adjoining thereto, as the said Commissioner shall think fit, and may agree to make Compensation to such Owners or Owner for making such Roads or Ways over such adjoining Lands; and such Roads and Ways, when made, shall become and be public Highways, and be kept and maintained as such, without any Notice or other Proceeding whatsoever; and, after setting out the same, all other existing Roads or Ways over the said Forest shall be shut up and discontinued. 5 10

The Expenses of such Roads to be defrayed by the Sale of Parts of the Forest.

XVI. The sole Commissioner of this Act shall cause such new Roads to be made and fenced as he in his sole Discretion shall think fit and necessary, and shall for the Purpose of defraying the Expenses thereof, and also for the Purpose of making such Compensation (if any) as he may agree to give to any such Owner or Owners of the adjoining inclosed Lands as aforesaid, sell so much of the said Forest not hereby vested or directed to be vested in Her Majesty as he shall find necessary for these Purposes, for which Purposes his Conveyance shall vest an indefeasible Estate of Inheritance in Fee Simple in the Purchaser or Purchasers, and the Receipt of the said Commissioner shall be a sufficient Discharge for the Purchase Money; and if there shall be any Surplus of any Monies which arose from any such Sale after answering the aforesaid Purposes, the said Commissioner shall apply the same towards defraying any of the Expenses by this Act directed to be paid. 15 20 25

After Award, all Letters Patent, Grants, Appointments of Offices, &c., to cease, and Compensation made therefor out of the Land Revenues of the Crown.

XVII. Immediately after the Award of such sole Commissioner shall have been made as herein-before directed all and every Letters Patent, Grants, Appointments, and Warrants of any Offices, Bailiwicks, Walks, or Lodges in or for the said Forest of Woolmer, and all Salaries, Gratuities, and Fees lawfully payable or allowed in respect of the same, shall thenceforth cease, and Compensation shall be made by the Commissioners of Her Majesty's Woods out of the Land Revenues of the Crown to the several Officers of the said Forest of Woolmer (whether holding Lodges and Land within the said Forest by virtue of the several Offices, or not), in consideration of the Cessation of the said several Offices, and on their relinquishing and giving up the Possession of the said Lodges and Land respectively, and all Claim and Interest therein or thereto under any Grant, Letters Patent, Appointment, or Warrant as aforesaid, which Compensation shall in every distinct and separate Case be referred to and ascertained by the Commissioners of Her Majesty's Treasury, or by such Person as they shall for that Purpose appoint, on the Part of Her 30 35 40

Her Majesty, and by such indifferent Person as shall be appointed on the Part of each and every Officer of the said Forest interested or concerned in the Premises, and which said Commissioners of Her Majesty's Treasury, or other the Person or Persons so
5 to be appointed as aforesaid, are hereby empowered to send for Persons and Papers, and to examine the Parties and Witnesses upon Oath, if necessary (which Oath any One of the said Commissioners of the Treasury, or the Person or Persons so to be appointed as aforesaid, is hereby authorized and empowered to administer); provided that,
10 in case any Difference of Opinion shall arise on any Matter or Question touching or concerning such Compensation, then the said Referees shall from Time to Time forthwith appoint any proper and competent Person or Persons to act as an Umpire or Umpires concerning the Premises, to whom all and every such Differences shall be referred,
15 and whose Judgment shall be binding, to all Intents and Purposes whatsoever.

XVIII. All the Costs, Charges, and Expenses herein-before directed to be defrayed out of the Land Revenues of the Crown, and
all other Costs, Charges, and Expenses incurred by the Commissioners
20 of Woods in and about the Execution of this Act, shall be borne and paid by them as Part of the Costs of Management of the Land Revenues of Her Majesty. Provision as to Costs.

XIX. The Commissioners or sole Commissioner of this Act may examine upon Declaration all such Persons as they or he may think
25 fit, who attend before them or him for the Purpose of giving Evidence upon any Matter or Proceeding under the Authority of this Act, and for that Purpose may administer or receive Declarations, which Declarations may be in the following Form : Commissioners may, if they think fit, examine Witnesses upon Declaration.

‘ I A.B. do solemnly declare, That the Evidence I shall give before
30 ‘ you touching the Matter in question shall be the Truth, the
‘ whole Truth, and nothing but the Truth.’

XX. If any Person, under the Provisions of this Act, shall wilfully give false Evidence, or shall make or subscribe a false Declaration for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor. Persons giving false Evidence guilty of Misdemeanor.
35

XXI. It shall be sufficient for all Purposes to cite this Act as the
“ Woolmer Forest disafforesting Act, 1855.” Short Title.

BILL

For disafforesting the Forest of Woolmer.

(Prepared and brought in by
Mr. Wilson and Mr. Chancellor of the Exchequer.)

*Ordered, by The House of Commons, to be Printed,
26 April 1855.*

[Bill 94.]

Under 2 oz.

8 June 1855. 18 VICT.



A

B I L L

[AS AMENDED IN COMMITTEE]

FOR

Disafforesting the Forest of Woolmer.

WHEREAS the Queen's most Excellent Majesty in right of Preamble.
 Her Crown is seised to Herself, Her Heirs and Successors, of and in Woolmer Forest in the County of Southampton, and of and in the Soil thereof, and the Timber and other
 5 Trees, Bushes; and Underwood standing and growing thereon, subject to divers Claims of Rights of Common and other Rights and Interests of Her Majesty and of divers of Her Majesty's Subjects in and over the same or some Portions thereof: And whereas by an Act passed in the Session of Parliament held in the Fifty-second Year of the Reign of
 10 His late Majesty King George the Third, intituled "An Act for the 52G.3.c.71.
 "better Cultivation of Navy Timber in the Forest of Woolmer in the County of Southampton," it was enacted, that it should be lawful for His Majesty, His Heirs and Successors, from Time to Time to inclose, sever, and improve, within and out of the Waste Lands of the said
 15 Forest, any Quantity of the said Lands not exceeding in the whole Two thousand Acres, to be inclosed and held in Severalty at One and the same Time, and that such Inclosure should remain in Severalty in the actual Possession of His Majesty, His Heirs and Successors, freed and discharged of and from all manner of Rights,
 20 Titles, Pretences, and Privileges or Claims whatsoever, (other than
 [Bill 165.] A and

and except as therein stated,) during the Period of the same remaining so inclosed for the Growth and Preservation of Timber, and until the same or any Part thereof should be laid open, under the Provisions of the now-reciting Act : And whereas, in pursuance of the Powers in the said Act contained, certain Parts of the Waste Lands of the said Forest, 5 containing in all One thousand seven hundred Acres or thereabouts, were inclosed for the Purposes of the said Act, and continue inclosed: And whereas the Lands in the said Forest might be made more valuable and productive if the said Forest were disafforested: And whereas Her Majesty has been graciously pleased to signify Her Consent that 10 the said Forest should be disafforested, and that the Officers of Her Majesty of or for the said Forest should be discharged, and that such Allotment should be made to Her Majesty in respect of Her Estate, Rights, and Interests in and over the said Forest, and that such Compensation should be made to the Officers of the said Forest, 15 as herein-after provided: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows : 20

52 G. 3. c. 71.
repealed, so
far as incon-
sistent with
this Act.

I. So much of the said recited Act as is inconsistent with any Part of this Act shall be and the same is hereby repealed.

Appoint-
ment of Com-
missioners.
The Bound-
aries of the
Forest to be
ascertained
by Three Com-
missioners.
All other
Require-
ments of the
Act to be
done by One
Commis-
sioner.

II. The Provisions of this Act shall be carried into execution by Commissioners to be appointed as herein-after mentioned; and for the Purpose of ascertaining the Boundaries of the said Forest, the Com- 25 missioners for carrying this Act into execution shall be Three in Number, One of whom shall be appointed in Writing by the Commissioners for the Time being of Her Majesty's Treasury, One other shall be appointed by the Inclosure Commissioners for England and Wales for the Time being, and the Third shall be appointed by the 30 Lord Chief Justice of the Court of Queen's Bench for the Time being; and for carrying all the other Requirements of this Act into execution there shall be but One Commissioner, to be appointed as aforesaid, who shall be the Commissioner appointed by the Inclosure Commissioners for England and Wales; and so often as any Vacancy 35 shall occur, by Death, Resignation, or Incapacity, a new Commissioner shall be appointed, in like Manner as the Commissioner whose Vacancy is to be supplied was appointed; and all such Commissioners, or such sole Commissioner, when appointed respectively, shall be the Commissioners or the sole Commissioner for carrying this Act into 40 execution respectively, and all Acts and Powers to be performed by or given to the said Three Commissioners under the Provisions herein contained may be performed or exercised by any Two of such Three Commissioners.

III. Every

III. Every Commissioner shall, before he enters upon the Execution of his Office, make and subscribe the following Declaration before One of the Judges of Her Majesty's Court of Queen's Bench or Common Pleas, or One of the Barons of the Court of Exchequer; that is to say,

' I DO solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, execute the Powers and Duties of a Commissioner under an Act passed in the Year of the Reign of Queen Victoria, intituled "An Act," &c. [here set forth the Title of this Act].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

IV. It shall be lawful for the said Commissioners and sole Commissioner from Time to Time to employ a Land Surveyor and Valuer in such Manner as they respectively shall think necessary.

V. Every Land Surveyor and Valuer so to be employed shall, before entering upon the Duties of his Office, make and subscribe, before the Commissioners of this Act, or before One of such Commissioners, (who are hereby severally authorized to administer or receive the same,) the Declaration following:

' I DO solemnly declare, That I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, perform all the Duties which may devolve upon me as a Land Surveyor and Valuer in the Matter of an Act passed in the Year of the Reign of Queen Victoria, intituled "An Act," &c. [here set forth the Title of this Act].'

And every such Declaration shall, when made and perfected, be deposited in the Office of Land Revenue Records and Inrolments.

VI. The Commissioners of Her Majesty's Woods, Forests, and Land Revenues, with the Consent of the Commissioners of Her Majesty's Treasury, shall, out of the Land Revenues of the Crown, pay and allow to the Commissioners and sole Commissioner of this Act such Sum not exceeding the Sum of Seven hundred and fifty Pounds as shall be thought sufficient and in proportion to the Time and Labour which may be bestowed by them respectively in carrying this Act into execution (such Proportion, in the event of any Difference of Opinion with regard thereto, to be conclusively determined by the Commissioners of Her Majesty's Treasury), and shall also allow to the said Commissioners and sole Commissioner of this Act respectively all Costs and Expenses of employing any such Land Surveyor and Valuer as aforesaid, and all other reasonable Expenses incurred by

them respectively in the Performance of their respective Duties under this Act.

The Three Commissioners to ascertain the Boundaries of the Forest. Boundaries so ascertained to be the true Boundaries of the Forest for all the Purposes of the Act.

VII. The said Three Commissioners of this Act shall forthwith proceed to ascertain the Boundaries of the said Forest, and to determine all Claims relating thereto, and for that Purpose shall or may 5 make use of any existing Maps, Plans, or Surveys, at their Discretion; and the said Commissioners shall by their Award in Writing, executed in Duplicate within One Year from the passing of this Act, certify and determine the Boundaries of the said Forest, and the Boundaries as ascertained and determined by the said Commissioners 10 shall be held to be the true Boundaries of the said Forest for all the Purposes of this Act.

All Lodges and Lands held therewith, and all Inclosures made under the Authority of the 52 G.3. c. 71., to be vested in Her Majesty as Part of the Hereditary Possessions of the Crown, freed from all Rights.

VIII. So soon as the Boundaries of the said Forest shall have been ascertained as aforesaid, all and every Parts and Part of the said Forest of which Her Majesty is seised in right of Her Crown, dis- 15 charged of all Common and other Rights, and also all and every the Lodges and Lands inclosed and held therewith by the Keepers or other Officers of Her Majesty (being certain Parts of the said Forest of which Her Majesty is also seised in right of Her Crown, to Herself, Her Heirs and Successors, discharged of all Common and other 20 Rights), and also all the said Pieces of Land, amounting in the whole to One thousand seven hundred Acres, so inclosed under the Authority of the said recited Act, shall become and be vested in Her Majesty, Her Heirs and Successors, as Part and Parcel of the Hereditary Possessions and Land Revenues of Her Crown, freed and discharged 25 from all Rights of Common and other Rights, and from all Claims and Demands whatsoever.

Allotment to Her Majesty in satisfaction of Her Rights.

IX. The said sole Commissioner shall thereupon proceed to set out and allot to Her Majesty, Her Heirs and Successors, such Part or Parts of the remaining Part of the said Forest as with the said 30 Pieces of Land amounting together to One thousand seven hundred Acres, and so inclosed as aforesaid, he shall think a full, fair, and sufficient Compensation to Her Majesty for all Her forestal and other Rights in and over the said Forest, and also for all the Rights which Her Majesty, Her Heirs or Successors, is or may be entitled to exercise 35 and enjoy in and over the said Forest or any Part or Parts thereof, under the Authority of the said recited Act, or otherwise howsoever; and such Allotment or Allotments, when made, shall thereupon become and be absolutely vested in Her Majesty, Her Heirs and Successors, in Her and their Demesne, as of Fee and as Part and Parcel of the 40 Hereditary Possessions and Land Revenues of Her Crown, freed and discharged

discharged from all Rights and Claims of Common and all other Rights and Claims whatsoever.

X. In making such Allotment or Allotments as aforesaid, the said sole Commissioner shall and he is hereby required to set out and allot 5 such Part or Parts of the said Forest as shall be conveniently situated for Occupation with the said Pieces of Land amounting to One thousand seven hundred Acres, hereby vested in Severalty in Her Majesty, Her Heirs and Successors, as aforesaid.

Allotment to be made where most convenient for Occupation with Lands already vested in Her Majesty.

XI. On the making of such Award by the sole Commissioner as 10 herein-after directed, the said Forest of Woolmer shall be for ever disafforested, and the Residue of the said Forest shall thereupon become and be the Property of the several Persons entitled to Rights of Common in and over the said Forest, as they are now entitled to the same, freed and discharged of and from all Right of Soil or other Right 15 or Claim of Her Majesty, Her Heirs and Successors, in, to, or over the said Residue of the said Forest.

On the making of Award, Forest to be disafforested.

XII. And for enabling the said sole Commissioner to make his Award, it shall be lawful for the said Commissioners of Woods, on behalf of Her Majesty, to produce and give to and before the said 20 sole Commissioner Evidence in support of Her Majesty's Rights or any of them, and of the Value thereof; and it shall be lawful for any Person or Persons who, in the Opinion of the said sole Commissioner, shall be interested in the Premises, to appear before the said sole Commissioner, and to adduce such Evidence as in the Opinion of the 25 said sole Commissioner shall be admissible, for the Purpose of controverting any Statement or Evidence made or offered to the said sole Commissioner in support of the Claims or Rights of Her Majesty, or of the Value thereof respectively.

Commissioners of Woods to produce Evidence in support of the Rights of the Crown, to enable the sole Commissioner to make his Award.

XIII. The said sole Commissioner shall make his Award in Writing 30 within Two Years from the passing of this Act; and such Award shall be executed in Duplicate, and One Part (together with One Part of the Award determining the Boundaries of the said Forest) shall be deposited in the Office of Land Revenue Records and Inrolments, and the other Part thereof (together with the other Part of the said 35 Award determining the Boundaries) shall be deposited with the Clerk of the Peace for the said County of Southampton, there to remain, and to be examined by all Persons, at all reasonable Times, on Payment of a Fee of One Shilling for each Examination.

Award of Commissioner to be made within Two Years.

XIV. It shall be lawful for the Commissioners of Woods to exercise 40 all the same Powers over and in respect of the Lands, Lodges, and other

Commissioners of Woods to exercise same Powers over Lodges and Lands,

and Allotments under this Act, as over other Lands of Her Majesty not being Royal Forests.

other the Hereditaments respectively hereby vested in or to be allotted to Her Majesty as aforesaid as they are or at any Time hereafter shall be by Law enabled to exercise over and in respect of other Lands of Her Majesty in right of Her Crown, not being Royal Forests, Parks, or Chases.

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The Commissioner may make Roads proper for the Enjoyment of the Forest over any Part of the Forest, and (with the Owner's Consent) through inclosed Lands.

XV. The sole Commissioner of this Act may, if he shall think fit, set out and allot such Roads and Ways through and over the said Forest as he shall consider proper and necessary, and, with the Consent of the Owners, through and over any inclosed Lands adjoining thereto, as the said Commissioner shall think fit, and may agree to make Compensation to such Owners or Owner for making such Roads or Ways over such adjoining Lands; and such Roads shall become and be public Highways, and be kept and maintained as such, without any Notice or other Proceeding whatsoever; and, after setting out the same, all other Roads or Ways over the said Forest shall be shut up and discontinued.

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The Expenses of such Roads to be defrayed by the Sale of Parts of the Forest.

XVI. The sole Commissioner of this Act shall cause such of the said Roads to be made as he in his sole Discretion shall think necessary, and shall for the Purpose of defraying the Expenses thereof, and also for the Purpose of making such Compensation (if any) as he may agree to give to any such Owner or Owners of the adjoining inclosed Lands as aforesaid, sell so much of the Waste Lands of the said Forest not hereby vested or directed to be vested in Her Majesty as he shall find necessary for these Purposes, for which Purposes his Conveyance shall vest an indefeasible Estate of Inheritance in Fee Simple in the Purchaser or Purchasers, and the Receipt of the said Commissioner shall be a sufficient Discharge for the Purchase Money; and if there shall be any Surplus of any Monies which arose from any such Sale after answering the aforesaid Purposes, the said Commissioner shall apply the same towards defraying any of the Expenses by this Act directed to be paid.

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After Award, all Letters Patent, Grants, Appointments of Offices, &c., to cease, and Compensation made therefor out of the Land Revenues of the Crown.

XVII. Immediately after the Award of such sole Commissioner shall have been made as herein-before directed all and every Letters Patent, Grants, Appointments, and Warrants of any Offices, Bailiwicks, Walks, or Lodges in or for the said Forest of Woolmer, and all Salaries, Gratuities, and Fees lawfully payable or allowed in respect of the same, shall thenceforth cease, and Compensation shall be made by the Commissioners of Her Majesty's Woods out of the Land Revenues of the Crown to the several Officers of the said Forest of Woolmer (whether holding Lodges and Land within the said Forest by virtue of the several Offices, or not), in consideration of the Cessation of the said several Offices, and on their relinquishing and giving

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giving up the Possession of the said Lodges and Land respectively, and all Claim and Interest therein or thereto under any Grant, Letters Patent, Appointment, or Warrant as aforesaid, which Compensation shall in every distinct and separate Case be referred to and
5 ascertained by the Commissioners of Her Majesty's Treasury, or by such Person as they shall for that Purpose appoint, on the Part of Her Majesty, and by such indifferent Person as shall be appointed on the Part of each and every Officer of the said Forest interested or concerned in the Premises, and which said Commis-
10 sioners of Her Majesty's Treasury, or other the Person or Persons so to be appointed as aforesaid, are hereby empowered to send for Persons and Papers, and to examine the Parties and Witnesses upon Oath, if necessary (which Oath any One of the said Commissioners of the Treasury, or the Person or Persons so to be appointed as aforesaid,
15 is hereby authorized and empowered to administer); provided that, in case any Difference of Opinion shall arise on any Matter or Question touching or concerning such Compensation, then the said Referees shall from Time to Time forthwith appoint any proper and competent Person or Persons to act as an Umpire or Umpires concerning the
20 Premises, to whom all and every such Differences shall be referred, and whose Judgment shall be binding, to all Intents and Purposes whatsoever.

XVIII. All the Costs, Charges, and Expenses herein-before directed to be defrayed out of the Land Revenues of the Crown, and
25 all other Costs, Charges, and Expenses incurred by the Commissioners of Woods in and about the Execution of this Act, shall be borne and paid by them as Part of the Costs of Management of the Land Revenues of Her Majesty. Provision as to Costs.

XIX. The Commissioners or sole Commissioner of this Act may
30 examine upon Declaration all such Persons as they or he may think fit, who attend before them or him for the Purpose of giving Evidence upon any Matter or Proceeding under the Authority of this Act, and for that Purpose may administer or receive Declarations, which
Declarations may be in the following Form: Commissioners may, if they think fit, examine Witnesses upon Declaration.

35 ' I A.B. do solemnly declare, That the Evidence I shall give before
' you touching the Matter in question shall be the Truth, the
' whole Truth, and nothing but the Truth.'

XX. If any Person, under the Provisions of this Act, shall wilfully
give false Evidence, or shall make or subscribe a false Declaration
40 for the Purposes of this Act, he shall be deemed guilty of a Misdemeanor. Persons giving false Evidence guilty of Misdemeanor.

Woolmer Forest.

A

BILL,

[AS AMENDED IN COMMITTEE]

For disafforesting the Forest of Woolmer.

(Prepared and brought in by
Mr. Wilson and Mr. Chancellor of the Exchequer.)

*Ordered, by The House of Commons, to be Printed,
8 June 1855.*

[Bill 165.]

Under 1 oz.

4 June 1855. 18 VICT.



A

B I L L

TO

Amend the Youthful Offenders Act.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS it is expedient to amend the Act Seventeenth and Eighteenth of Victoria, Chapter Eighty-six, for the better Care and Reformation of Youthful Offenders in Great Britain: Be it enacted by the Queen's most Excellent Majesty, by 5 and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. So much of the said recited Act as is contained in the Second, Fifth and Sixth Sections thereof shall be and the same is hereby re- 10 pealed.

Repeal of
Sections 2, 5,
and 6 of
17 & 18 Vict.
c. 86.

II. Whenever any Child shall be convicted of any Offence punishable by Law either upon an Indictment, or on a Summary Conviction before a Police Magistrate of the Metropolis or other Stipendiary Magistrate, or before Two or more Justices of the Peace, or before a 15 Sheriff or Magistrate of Scotland, then and in every such Case it shall be lawful for any Court, Judge, Police Magistrate, Stipendiary Magistrate, or any Two or more Justices of the Peace, or in Scotland for any Sheriff or Magistrate of a Burgh or Police Magistrate, before whom or by whom such Child shall be so convicted, if he shall see fit, 20 to annex to any Sentence of Imprisonment which may be then and

Youthful
Offenders
how to be
dealt with.

[Bill 153.]

A

there

there passed as a Punishment for his Offence a Proviso that if the Directors or Managers of any certified Reformatory School shall within *Fourteen Days* of the passing of such Sentence offer to take Charge of such Child, he shall forthwith be delivered over by the Person in whose Custody he shall have been placed to such Directors 5 or Managers for a Period not less than *One Year* nor more than *Five Years*, and a Receipt of the Secretary or other Officer of any such Reformatory School, in the Form A. to this Act annexed shall be a sufficient Discharge from such Custody; and the Child so delivered over as aforesaid shall be detained in such Reformatory School for 10 the Period named in the Sentence: Provided, always that the Secretary of State for the Home Department may at any Time order any such Child to be discharged from any such Reformatory School.

Overseers to inquire after Parents, and Justices to make Order on them for Maintenance of Children.

III. The Secretary or other Officer of any such Reformatory School 15 shall, immediately upon the Admission of any such Child as aforesaid, give Notice in the Words or to the Effect of Form B. to this Act annexed to the Overseer, or in Scotland to the Inspector of the Poor of the Parish in which he has Reason to believe that the Parent or Step-Parent of the Child dwells; and upon the Receipt of such Notice the 20 said Overseer or Inspector shall forthwith make Inquiry after such Parent, and if he can find him shall cause him to be brought before the nearest Justice of the Peace, who, if satisfied that such Parent is of sufficient Ability to contribute towards the Maintenance of such Child in the Reformatory School, shall make an Order upon him to pay 25 weekly to such Overseer any Sum not exceeding *Three Shillings*; and such Justice of the Peace shall thereupon also sign a Certificate of his Adjudication according to or to the Effect of Form C. to this Act annexed; and the said Overseer or Inspector shall receive as a Re- 30 muneratation for the Services required of him by this Act *One Third* Part of all such Sums of Money as shall be received by him towards the Maintenance of such Child, and shall pay over the other *Two Thirds* thereof at least once in every *Three Months* to the Secretary or other Officer of the Reformatory School taking charge of such Child. 35

Justice's Certificate of Parents Inability to pay, or that they cannot be found.

IV. If such Justice of the Peace shall be of opinion that the Parent of the Child is not of sufficient Ability to contribute to the Cost of such Child's Maintenance in the Reformatory School, he shall sign a Certificate of such apparent Inability according to or to the Effect of Form D. to this Act annexed; and if such Overseer or Inspector shall 40 be unable to find such Parent within *Fourteen Days* of the Receipt of the Notice from the Secretary or other Officer of the Reformatory School, he shall appear before the said Justice of the Peace, who, if satisfied that due Inquiry has been made after such Parent, and that the

the same cannot be found, shall sign a Certificate thereof according to or to the Effect of Form E. to this Act annexed; and the said Overseer or Inspector shall forthwith send to the Secretary or other Officer of the said Reformatory School a Copy of such One of the
5 aforesaid Three Certificates as such Magistrate may have granted; and if at any Time after a Certificate in the Form D. or E. has been given the Overseer of any Parish shall appear before a Justice of the Peace, and satisfy him that such Parent or Step-Parent has been found, or that he is then of sufficient Ability to contribute towards the Main-
10 tenance of such Child as aforesaid, such Magistrate shall make the Order referred to in Section Three of this Act, and sign another Certificate in the Form C. to this Act annexed, which shall in like Manner as aforesaid be sent to the Secretary or other Officer of the Reformatory School taking charge of such Child.

15 V. If any Parent so adjudged to pay as aforesaid shall fail to make any Payment to the said Overseer or Inspector during *Four* successive Weeks, it shall be the Duty of such Overseer or Inspector to make Application to a Justice of the Peace, who shall cause such
20 Defaulter to be brought before him, and shall make further Investigation of his Circumstances, and shall either remit the Charge altogether, or order the Arrears, together with the Costs of such Proceedings, to be levied by Distress, or shall commit him to the House of Correction for any Term not exceeding *One Month*, with or without Hard Labour.

25 VI. If any Overseer or Inspector shall neglect to perform the Services required of him by this Act, or any or either of them, he shall be liable to a Penalty not exceeding *Ten Shillings* in each Case; which
30 Penalty shall be imposed by any Magistrate before whom Complaints shall be made by the Secretary or other Officer of the Reformatory School taking charge of any such Child as aforesaid, and the same shall be recovered by Distress.

VII. The Costs of such Proceedings under this Act as are not herein provided for shall be defrayed out of the Rates of the County or Borough respectively in which such Proceedings take place, and in
35 Scotland out of the Rogue Money of the County or the Police Rates of the Burgh.

VIII. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,
40 the Word "*Child*" shall mean and include any Boy or Girl apparently between the Ages of *Seven* and *Fourteen* Years who shall be convicted of any Offence:

Proceedings
in case of
Parents
Default of
Payment.

Penalty on
Overseer or
Inspector
neglecting
to perform
Services
required by
this Act.

Certain
Costs pro-
vided for.

Interpre-
tation.

The Word "Parent" shall include "Father," "Step-Father," and "Mother," being a Widow, or any other Person legally liable under the Laws relating to the Poor to maintain such Child :

The Word "Magistrate," in so far as regards Scotland, in this or the said recited Act, shall be construed to include Justice of the Peace. 5

SCHEDULE OF FORMS.

A.

Receipt to be given by Reformatory Schools.

I hereby acknowledge, That I have received this Day from the
Custody of a Child named
in Margin.

(Signed)

Secretary [*or other Officer*]
of Reformatory School.

B.

Notice from Reformatory School to Overseer.

A.B. has been admitted into this Reformatory School, aged
convicted of at on
Day of and I request you to obtain for me as soon as
possible One of the Certificates relating to his Parents, whom I have
Reason to believe dwell in your Parish, pursuant to the Provisions of
the Act 18 & 19 Vict. Cap.

Certificates as to Parents.

C.

I hereby certify, That *C.D.* is adjudged to pay weekly towards
the Maintenance of his Child, *A.B.* in Reformatory School.

D.

I hereby certify, That *D.* is in my Judgment unable to pay anything
towards the Maintenance of his Child, *A.B.* in Reformatory
School.

E.

I hereby certify, That I believe due Inquiry to have been made, but
no Parent of the Child *A.B.* in Reformatory School has
been found.

Youthful Offenders.

A

B I L L

To amend the Youthful Offenders Act.

(Prepared and brought in by
Mr. Adelerley, Mr. Robert Palmer, and
Sir Stafford Northcote.)

*Ordered, by The House of Commons, to be Printed,
4 June 1855.*

[Bill 153.]

Under 1 oz.

18 June 1855. 18 VICT.



(No. 2.)

A

B I L L

To amend the Act for the better Care and Reformation of Youthful Offenders.

[Note.—The Words printed in *Italics* are proposed to be inserted in Committee.]

WHEREAS it is expedient to amend the Act of the last Session of Parliament, Chapter Eighty-six, “for the better
“ Care and Reformation of Youthful Offenders in Great
“ Britain,” so far as respects the Provision thereby made for charging
5 the Parent or Step-Parent of an Offender in certain Cases with
Payments towards his Maintenance or Support: Be it therefore
enacted by the Queen’s most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and
Commons, in this present Parliament assembled, and by the Autho-
10 rity of the same, as follows :

I. Sections Five and Six of the said Act shall be repealed.

Sects. 5.
and 6. of the
Act repealed.

II. In every Case in which any Juvenile Offender shall be detained
in a Reformatory School under the said Act, the Parent or Step-
Parent, if of sufficient Ability, shall be liable to contribute to his
15 Support and Maintenance a Sum not exceeding *Five Shillings* a
Week; and it shall be lawful in England and Wales for any Two
[Bill 176.] Justices

Provision for
enforcing
Contribution
by Parents
to the Main-
tenance of
Juvenile

Offenders in
Reformatory
Schools.

Justices of the Peace, upon the Complaint of any Person authorized by One of Her Majesty's Principal Secretaries of State to take Proceedings in that Behalf, to summon the Parent or Step-Parent, as the Case may be, and examine into his Ability, and (if on Consideration of all the Circumstances of the Case they think fit) to make an Order upon him for such weekly Payment not exceeding *Five Shillings* per Week as they shall think reasonable, during the whole or any Part of the Detention of such Juvenile Offender in such Reformatory School, such Payment to be made at such Times as by such Order may be directed to the Person so authorized to take Proceedings as aforesaid, or to such Person as the Secretary of State may from Time to Time appoint to receive the same, and by him to be accounted for and paid as the Commissioners of Her Majesty's Treasury may direct.

Recovery of
Sums ordered
to be paid.

III. In case Default be made for the Space of *Fourteen Days* in Payment of any Sum of Money which may have become payable by such Parent or Step-Parent under such Order, such Sum of Money shall in every such Case be levied upon the Goods and Chattels of the Defendant by Distress and Sale thereof; and if it shall be returned to the Warrant of Distress in any such Case that no sufficient Goods of the Party against whom such Warrant shall have been issued can be found, it shall be lawful for the Justice to whom such Return is made, or for any other Justice of the Peace for the same County, Riding, Division, Liberty, City, Borough, or Place, by his Warrant as aforesaid, to commit the Defendant to the House of Correction or Common Gaol for any Term not exceeding *Ten Days*, unless the Sum to be paid, and all Costs and Charges of the Distress, and of the Commitment and conveying of the Defendant to Prison, (the Amount thereof being ascertained and stated in such Commitment,) shall be sooner paid.

Contribution
how to be
enforced in
Scotland.

IV. In Scotland an Action for Payment of Sums for the Support and Maintenance of a Juvenile Offender under the said Act shall and may be raised at the Instance of the Procurator Fiscal of the Court by which Sentence was passed on such Offender, and of no other Person; and it shall be lawful for the Sheriff before whom such Action is brought to inquire into the Circumstances of the Party sued, and to decern for Payment of such weekly Sum not exceeding *Five Shillings* per Week during the Period of Detention of such Offender as he shall think fit, or, in his Discretion, to dismiss the Action; and such Decree for Payment of a weekly Sum shall be held to be and have all the Effect of a Decree in each Week for Payment of the Sum ordered to be paid for such Week; and the Sums recovered shall be accounted for and paid as the Commissioners of Her Majesty's Treasury may direct.

V. It

V. It shall be lawful for One of Her Majesty's Principal Secretaries of State, or in Scotland for the Lord Advocate, from Time to Time, where such Secretary of State or Lord Advocate shall in his Discretion think fit, to remit all or any Part of any weekly Payment 5 which may have been made payable by any Order under this Act.

Payments
may be
remitted by
Secretary
of State
or Lord
Advocate.

Youthful Offenders.

(No. 2.)

A

B I L L

To amend the Act for the better
Care and Reformation of Youthful
Offenders.

(Prepared and brought in by
Mr. Cooper and Sir George Grey.

Ordered, by The House of Commons, to be Printed,
18 June 1855.

[Bill 176.]

Under 1 oz.



(No. 2.)

A

B I L L

[AS AMENDED BY THE LORDS]

INTITULED

An Act to amend the Act for the better Care and Reformation of Youthful Offenders, *and the Act to render Reformatory and Industrial Schools in Scotland more available for the Benefit of Vagrant Children.*

[Note.—*The Words printed in Italics and Clauses A. and B. were inserted, and the Words struck out were omitted by the Lords.*]

10 **W**HEREAS it is expedient to amend the Act of the last Session of Parliament, Chapter Eighty-six, “for the better
“ Care and Reformation of Youthful Offenders in Great
“ Britain,” so far as respects the Provision thereby made for charging
5 the Parent or Step-Parent of an Offender in certain Cases with
Payments towards his Maintenance or Support: Be it therefore
enacted by the Queen’s most Excellent Majesty, by and with the
Advice and Consent of the Lords Spiritual and Temporal, and
Commons, in this present Parliament assembled, and by the Autho-
10 rity of the same, as follows:

- I. Sections Five and Six of the said Act shall be repealed.

II. In every Case in which any Juvenile Offender shall be detained in a Reformatory School under the said Act, the Parent or Step-
[Bill 262.]
- Sects. 5.
and 6. of the
Act repealed.

Provision for
enforcing
Contribution
by Parents

17 & 18 Vict.
c. 86.

to the Main-
tenance of
Juvenile
Offenders in
Reformatory
Schools.

Parent, if of sufficient Ability, shall be liable to contribute to his Support and Maintenance a Sum not exceeding Five Shillings a Week; and it shall be lawful in England and Wales for any Two Justices of the Peace, upon the Complaint of any Person authorized by One of Her Majesty's Principal Secretaries of State to take Pro-
ceedings in that Behalf, to summon the Parent or Step-Parent, as the Case may be, and examine into his *or her* Ability, and (if on Consideration of all the Circumstances of the Case they think fit) to make an Order upon him *or her* for such weekly Payment, not exceeding Five Shillings per Week, as they shall think reasonable, during the whole
or any Part of the Detention of such Juvenile Offender in such Reformatory School, such Payment to be made at such Times as by such Order may be directed to the Person so authorized to take Proceedings as aforesaid, or to such Person as the Secretary of State may from Time to Time appoint to receive the same, and by him to be accounted for and paid as the Commissioners of Her Majesty's Treasury may direct.

Recovery of
Sums ordered
to be paid.

III. In case Default be made for the Space of Fourteen Days in Payment of any Sum of Money which may have become payable by such Parent or Step-Parent under such Order, such Sum of Money shall in every such Case be levied upon the Goods and Chattels of the Defendant by Distress and Sale thereof; and if *it shall appear to the said Justices, on Confession of Defendants or otherwise, or if* it shall be returned to the Warrant of Distress in any such Case, that no sufficient Goods of the Party against whom such Warrant shall have been issued can be found, it shall be lawful for the Justice to whom such Return is made, or for any other Justice of the Peace for the same County, Riding, Division, Liberty, City, Borough, or Place, by his Warrant as aforesaid, to commit the Defendant to the House of Correction or Common Gaol for any Term not exceeding Ten Days, unless the Sum to be paid, and all Costs and Charges of the Distress, and of the Commitment and conveying of the Defendant to Prison, (the Amount thereof being ascertained and stated in such Commitment,) shall be sooner paid.

Contribution
how to be
enforced in
Scotland.

IV. In Scotland an Action for Payment of Sums for the Support and Maintenance of a Juvenile Offender under the said Act shall and may be raised before the Sheriff or any Two Justices of the Peace within the County in which Sentence was passed on the Offender, or in which the Defender in such Action may happen to reside; and such Action shall and may be brought by the Procurator Fiscal of the Sheriff Court of such County, and by no one else; and it shall be lawful for the Sheriff or Justices before whom such Action is brought to inquire into the Circumstances of the Party sued, and to decern for Payment

Payment of such weekly Sum not exceeding Five Shillings per Week during the Period of Detention of such Offender as he or they shall think fit, or, in his or their Discretion, to dismiss the Action; and such Decree for Payment of a weekly Sum shall be held to be and have all the Effect of a Decree in each Week for Payment of the Sum ordered to be paid for such Week; and the Sums recovered shall be accounted for and paid as the Commissioners of Her Majesty's Treasury may direct.

10 V. It shall be lawful for One of Her Majesty's Principal Secretaries of State, or in Scotland for the Lord Advocate, from Time to Time, where such Secretary of State or Lord Advocate shall in his Discretion think fit, to remit all or any Part of any weekly Payment which may have been made payable by any Order under this Act.

Payments may be remitted by Secretary of State or Lord Advocate.

15 VI. In Scotland any Two or more Justices of the Peace shall within the Bounds of their Jurisdiction have the same Powers as are by the said recited Act conferred on any Sheriff, Magistrate of a Burgh, or Police Magistrate; and the Word "~~Magistrate~~" in the Act of the Seventeenth and Eighteenth of Victoria, Chapter Seventy-four, is hereby declared to include "~~Justice of the Peace~~."

In Scotland, Justices of Peace to have same Power with Sheriff.

CLAUSE (A.) Whenever any Child under the Age of Sixteen Years shall be convicted of any Offence punishable by Law either upon an Indictment or on a Summary Conviction before a Police Magistrate of the Metropolis or other Stipendiary Magistrate, or before Two or more Justices of the Peace, or in Scotland before a Sheriff or Magistrate or Two or more Justices of the Peace, then and in every such Case it shall be lawful for any Court, Judge, Police Magistrate, Stipendiary Magistrate, or any Two or more Justices of the Peace, or in Scotland for any Sheriff, Magistrate of a Burgh, or Police Magistrate, or any Two or more Justices of the Peace, before whom or by whom such Child shall be so convicted, if he or they shall see fit, to annex to any Sentence of Imprisonment which may be then and there passed as a Punishment for his Offence a Proviso that if the Directors or Managers of any certified Reformatory School shall within Fourteen Days of the passing of such Sentence offer to take charge of such Child, he shall forthwith be delivered over by the Person in whose Custody he shall have been placed to such Directors or Managers for a Period not less than One Year nor more than Five Years, and a Receipt of the Secretary or other Officer of any such Reformatory School shall be a sufficient Discharge from such Custody; and the Child so delivered over as aforesaid shall be detained in such Reformatory School for the Period named in the Proviso aforesaid: Provided always, that the Secretary of State for the Home Department may at any Time order any such Child to be discharged from any such Reformatory School;

Youthful Offenders how to be dealt with.

and the Provisions of the said Act of the Seventeenth and Eighteenth Victoria, Chapter Eighty-six, and of this Act, shall apply to every Child detained in such Reformatory School under the Provisions of this Clause.

Powers of
Justices of
Peace in
Scotland.

Interpreta-
tion of Word
"Magis-
trate."

CLAUSE (B.) And whereas by the Act of the last Session of Parliament, Chapter Seventy-four, intituled "An Act to render Reformatory " and Industrial Schools in Scotland more available for the Benefit of " Vagrant Children," certain Powers are given to be exercised in Scotland by Sheriffs or Magistrates: Be it enacted, That all such Powers may be exercised by any Justice of the Peace in Scotland within the Limits of his Jurisdiction; and the Word "Magistrate" as used in the said last-mentioned Act shall be deemed to include the Words "Justice of the Peace."

Added by the Lords.

(No. 2.)

A

B I L L

[AS AMENDED BY THE LORDS]

INTITLED

An Act to amend the Act for the better Care and Reformation of Youthful Offenders, and the Act to render Reformatory and Industrial Schools in Scotland more available for the Benefit of Vagrant Children.

*Ordered, by The House of Commons, to be Printed,
20 July 1855.*

[Bill 262.]

Under 1 oz.

